

## 1. Profile of Federal Offenders

Overwhelming proportions of incarcerated federal offenders are men (96%). Most (71%) are serving their first penitentiary sentence. About two thirds are single, divorced, separated or widowed, between 20 and 34 years of age. And 50% are sentenced to a term of less than six years. The federal offender population is diverse. About 71% of offenders identify themselves as Caucasian; Aboriginal offenders constitute the next largest group (16%).

**Presenters: Please refer to the chart “The Criminal Justice Process.” Page 5.6**

## 2. Purpose of a Correctional Plan

The majority of people sentenced to federal penitentiaries will, at some point, return to society. Knowing this, the Correctional Service of Canada emphasizes the offender’s safe reintegration into the community. It does this by determining the factors that led to each inmate’s crime and developing a plan to address these factors. The development process involves looking at the behaviours that brought inmates into conflict with the law, assessing the risks they pose to themselves and others, identifying their potential for safe reintegration and recommending suitable programs and treatments. The correctional plan sets out specific performance objectives, and therefore, acts as a yardstick against which the offender’s progress can be measured throughout the sentence.

## 3. How the Correctional Plan Works

### Intake

Following sentencing, CSC staff gathers as much information as possible about the offender, from a variety of sources such as police, courts, victims, family members, employers, and psychologists. This information is analyzed and used to identify the main risk factors that may affect not only the safe, secure and humane management of the offender during incarceration, but his/her potential for safe reintegration as well. Specific tools and policy guidelines have been developed for this purpose. Based on the intake assessment, staff develop a correctional plan for each offender. The plan sets out placement criteria (the type of institution and level of security required) and beneficial rehabilitation programs.

### Risk assessment and risk management

Risk assessment provides a way of assessing the likelihood of re-offending by the offender. Once this has been identified, CSC staff can decide how best to manage the risk through appropriate programs and treatment. However, the process involves treatment of human behaviour, so it is not foolproof.

Risk assessment is an ongoing process that begins when offenders enter the correctional system and continues for as long as they are under supervision, whether in a penitentiary or in the community. By regularly measuring changes in behaviour and attitudes, case managers can adapt the correctional plan as needed.

Risk assessment forms the basis for conditional release decisions made by the National Parole Board (NPB). While on conditional release, the offender’s risk factors are monitored by a parole officer, who may seek input from the police,

employers, family members and community agencies. Any change in perceived risk to the community can be offset by a number of actions including disciplinary interviews, imposition of additional conditions, or, ultimately, suspension of conditional release and return to a correctional facility.

### Rehabilitation

Incarceration and supervision alone do not effect the long-term changes that many offenders require in order for them to lead productive, law-abiding lives in the community. Treatment services and programs are necessary to bring about positive changes in behaviour. The rehabilitation programs identified in the offender's correctional plan are aimed at treating problems that interfere with his or her ability to function in society, such as getting along with other people or holding down a job. In addition, all inmates must attend school or work as part of their correctional plan.

## 4. Correctional Programs

CSC offers a wide range of fully accredited correctional programs, both within the prison system and to offenders on parole. The programs address the attitudes and beliefs that appear to have led to an offender's criminal behaviour, help them develop social skills and upgrade their education. The goal is to ensure their safe return to the community and their prospects for finding and keeping a job. All programs are supported by current research and have clear objectives, along with criteria for selecting participants and a process for measuring their progress. Programs are also regularly evaluated for their effectiveness. Research has shown that programs that teach behavioural skills are the most effective in reducing the likelihood of re-offending by 50%. It also indicates that rehabilitation programs are

more effective when delivered in the community, as opposed to in a correctional setting.

As offenders progress through the correctional system to lower security levels and more freedom of movement, the programs and activities are tailored to more closely reflect the conditions the offender is likely to encounter once released into the community. Programs focus on several main areas: cognitive skills, anger management, violent behaviour, substance abuse, sexual deviance, family violence, education and literacy. There are also specialized programs for women and Aboriginal offenders. *(For a complete listing and description of correctional programs, please refer to Appendix B.)*

## 5. Purpose of Conditional Release

Conditional release means releasing offenders into the community before their sentence has expired, under strictly defined conditions and with supervision and support. The purpose of conditional release is to help inmates make a safe, gradual, supervised return to society. Conditional release also allows for the early identification of offenders who are having difficulty making this transition. If they breach the conditions of parole, for example, they can be returned to a federal penitentiary even if they have not committed another criminal offence. Offenders who are incarcerated until their sentence has expired (known as warrant expiry) and then released into the community without any controls or supervision have an increased chance of committing another crime. Conditional releases are more conducive to the safe reintegration of offenders than keeping them in the penitentiary until their warrant expiry date.

## 6. Types of Conditional Release

In keeping with the principle of “gradual, supervised return to society,” conditional release consists of five progressive stages, as set out in the *Corrections and Conditional Release Act*. By and large, the success rates for each stage are high. (See Section 7: Statistics, to customize the presentation to the audience.) For each type of conditional release, failure to comply with the conditions set out by the National Parole Board can lead to CSC suspending the release and returning the offender to custody during this time. The NPB would then conduct a review to decide whether to revoke the release.

**Temporary absences** may be granted by CSC to offenders for medical, administrative, community service, family contact, and personal development reasons (related to rehabilitation), humanitarian and family responsibilities, if it is determined that the inmate will not present an undue risk to society. An escorted temporary absence may be granted at any time during the sentence, whereas an unescorted temporary absence may be granted only after an offender has served one-sixth of the sentence or six months, whichever is greater. Offenders classified as maximum security do not qualify for unescorted absence. In cases of offenders who are serving life sentences, only the NPB can grant temporary absences.

**Work release** allows offenders from minimum- and medium-security facilities to do paid or voluntary work in the community under supervision, as long as they do not pose an undue risk to society. By offering practical experience, work releases give offenders an opportunity to contribute to the community, thus increasing their self-esteem and reducing their chances of re-offending.

**Day parole** allows offenders to participate in community-based activities in preparation for release on full parole or statutory release. Offenders become eligible to be considered for day parole six months before their full parole eligibility date. First-time, non-violent federal offenders are also eligible for day parole after serving one-sixth of their sentence. Those imprisoned for either first or second degree murder become eligible for day parole three years before they are eligible for full parole. Only the NPB can grant day parole, and it does so only if it determines that the offender does not pose an undue risk to society.

**Full parole.** Inmates are normally eligible to be considered for full parole by the NPB once they have served one-third of their sentence, or seven years, whichever is less. Under the *Corrections and Conditional Release Act*, judges have the option at the time of sentencing to increase the time that violent and serious drug offenders spend in a correctional facility by delaying their eligibility for full parole until they have completed one half of their sentence. Offenders sentenced to life for first degree murder or high treason are not eligible to be considered for parole until they have served 25 years. Those sentenced to life for second degree murder may apply for parole after serving between 10 and 25 years, as determined by the court. Offenders who are serving life sentences and are granted parole remain on parole for the rest of their lives.

**Statutory release.** Most offenders who are serving sentences of fixed length, and have not been granted parole or had their parole revoked, will be released by law on statutory release after serving two-thirds of their sentence. However, the NPB may add conditions to the release to protect society and help the offender adjust to the outside world in a law-abiding manner. These conditions

may include an order to live under strict residential conditions i.e. in a halfway house.

Upon referral from CSC, if the NPB determines that an offender is likely to cause serious harm or death to another person, is likely to commit a serious drug offence, or likely to commit a sexual offence involving a child, prior to completion of the offender's sentence, the NPB may order the offender to remain in a correctional institution until the sentence expires. If a decision is made to detain an offender until the end of his or her sentence, the NPB must review that decision once a year. Statutory release does not apply to offenders serving life or indeterminate sentences.

The main difference between parole and statutory release is that parole is a discretionary decision, whereas statutory release is a legal requirement.

**Presenters: Please refer to the chart titled, "Schematic Sample of Eligibility Dates for a 12-Year Sentence". Page 5.7**  
**\*Please note that offenders are not automatically eligible for parole, they are eligible to apply only.\***

## 7. Long-Term Supervision Orders

Depending on the offender's assessed potential for safe reintegration and the nature of the original offence, the court may impose a *long-term supervision order* on inmates who have served their full sentence and are eligible for release. These orders can apply for up to 10 years, if need be, to ensure public safety. They lay down conditions for behaviour that are similar to those for parole. If the conditions are breached, and it is determined that the offender still poses a threat to public safety and that there are no suitable community-based alternatives (such as supervised residential facilities) to manage the risk posed by

the offender, the long-term supervision orders may be suspended and the offender taken into custody.

## 8. Supervision of Offenders in the Community

Every day in Canada, there are nearly 8,500 federal offenders living or working in the community under some form of conditional release. They are there because the NPB has determined they can be safely managed in the community, with proper supervision, support and controls. In making these decisions and in setting the conditions for release, the NPB relies on many partners. First among these is CSC, which provides the release plan as well as background information on the offender's criminal history, performance in the penitentiary and involvement in correctional programs. Community agencies, police, victims and others provide input about an offender's ability to reintegrate successfully. When an offender is released into the community, he or she must adhere to a number of standard conditions, including:

- reporting regularly to the parole officer and the police as instructed; and
- carrying at all times the release certificate or identity card and presenting it to any police officer who requests it.

The NPB can also impose additional conditions such as avoiding alcohol and staying away from known criminals, victims and their families. Breaking one of these conditions could result in the offender being sent back to a correctional institution. Parole officers and police share information, enforce these rules and supervise offenders in the community.

## Section 5 ■ Correctional Process

Apart from monitoring and supervision, an important part of the parole officer's job is to make sure offenders are linked to community services, volunteers and programs that can help them successfully reintegrate. Examples of these include after-care agencies, counseling, education, training, and job search assistance. For many offenders, community chaplains also play a key role in their safe and productive return to society. For others, the family may form part of the supervision plan (though that depends on the family situation). In general, the more ties offenders have to the community, the more likely they are to make a successful transition. (*See Section 9: Partners in Good Corrections, for more detail on the community's role in safe reintegration.*)