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CHIEF CORONER

February 1, 2019

Ms. Lisa Lapointe  
Chief Coroner  
PO Box 9259 Stn Prov Govt  
Victoria BC V8W 9J4

Dear Ms. Lapointe:

Thank you for your letter of November 13, 2018, in which you provided Verdict of Inquest concerning the death of Deanna Desjarlais. In response to the recommendations from this inquest, the Ministry of Public Safety and Solicitor General provides the following:

***Recommendation 1 – Make changes to the Provincial Policing Standards for Missing Person Investigations to require mandatory participation in the Provincial Dental Data Bank (PDDB) for all provincial and municipal police forces, including the Vancouver Police Department, to assist with the identification of missing persons.***

To assist in considering this recommendation, the Director of Police Services wrote to each police agency inquiring about their current participation in the PDDB, including, where relevant, their reasons for not participating and any comments or concerns about this recommendation. Although responses are outstanding from some agencies, it is clear from the responses received to date that there is currently wide participation in the program. This includes Vancouver Police Department, which reviewed the matter following the Desjarlais inquest and is now participating in the PDDB. The ministry will continue to follow up with agencies that have not yet responded to the Director's inquiry, as this process has been helpful in promoting awareness and confirming support for the program. The ministry will also examine mandating ongoing participation in the *BC Provincial Policing Standards* for missing person investigations, during future review and amendment of these Standards.

***Recommendation 3 - Integrate access to income assistance benefits into release planning in correctional facilities for all individuals who have been sentenced or remanded into custody. This should be available to both new and continuing income assistance recipients.***

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***Presiding Coroner Comment (Recommendations 2 and 3): The jury heard evidence that financial support through income assistance is essential to protecting the wellbeing of vulnerable women, who are at increased risk if they have no means of support. The jury suggested that the current system further marginalizes vulnerable women who may have outstanding warrants or who may have been recently incarcerated.***

Incarcerated individuals are ineligible to receive benefits under the BC Employment and Assistance Regulations (2015, Part 2, 3.15). Existing income assistance recipients must requalify for benefits prior to or upon release. The Ministry of Social Development and Poverty Reduction Special Circumstances policy expedites application and qualification for applicants who are pre-release prisoners. BC Corrections utilizes this expedited process for exiting inmates who have served a minimum of 90 days, and these qualified inmates are released with an income assistance cheque. Inmates serving less than 90 days must proceed through the routine application process. BC Corrections will continue to work with the Ministry of Social Development and Poverty Reduction to develop protocols to better assist inmates to apply for social assistance and housing prior to release.

***Recommendation 5 - Release planning, including counselling services, must begin at the point of intake into a correctional centre to ensure that an individual has basic identification so that access to health and social services and other key supports is not jeopardized upon release.***

***Presiding Coroner Comment (Recommendations 5 and 6): The jury heard evidence that release planning for women being released from custody is limited, particularly for those women who were remanded into custody. The jury identified a significant gap in the provision of necessary care to ensure the safety and wellbeing of women transitioning from a custodial setting.***

When possible, BC Corrections staff help inmates prepare for release by ensuring they have a transition plan in place to assist with reintegrating into the community. This includes identifying resources in the community to help support the inmate upon release and obtaining income assistance as outlined in the response to recommendation three.

A new program for sentenced female offenders, Thinking Leads 2 Change, was introduced in 2017 for sentenced medium and high risk inmates. This 12 session program targets a number of the unique risk factors presented by women, and participants develop a personal action plan to assist in the development of pro-social thinking, habits

and behaviours. The employability and life skills program Essential Skills to Success is available to remanded and sentenced inmates and is intended to prepare inmates for, and encourage their participation in, other programming in the correctional centre and in the community. For inmates with mental health needs, mental health liaison officers and the Provincial Health Services Authority plan for release and how the inmate will access supports in the community. Inmates on medication may be provided with up to two weeks of medication to ensure they have enough time to connect with medical support in their community. Inmates released to the community may attend any pharmacy in the province, indicate they were in custody, and request the pharmacy to fill their previous prescription. The pharmacy confirms this information with the correctional centre's healthcare team (a component of the Provincial Health Services Authority).

***Recommendation 6 - Implement training for corrections staff regarding community resources available to individuals upon release.***

***Presiding Coroner Comment (Recommendations 5 and 6): The jury heard evidence that release planning for women being released from custody is limited, particularly for those women who were remanded into custody. The jury identified a significant gap in the provision of necessary care to ensure the safety and wellbeing of women transitioning from a custodial setting.***

Sentenced, high-risk offenders are identified by the Integrated Offender Management (IOM) Program. Correctional officers and community probation officers then work together with the inmate to develop a multi-level case management release plan to ensure sufficient resources are in place to assist with a successful transition back into the community. Those who identify as being homeless or at risk of homelessness upon release are referred to the IOM/ (Homelessness Intervention Program) HIP program.

The Ministry of Health confirms that high risks female offenders with severe and complex mental health and/or substance use disorders can access local Mental Health Centres throughout BC. Mental Health and Substance Use Centres provide crisis intervention services, assessment, treatment, case management and access to community mental health and substance use services. These community services include residential care and treatment, withdrawal management, and psychosocial rehabilitation services such as supported employment services, wellness support, supported housing, supportive recovery services.

A list of Mental Health and Substance Use Centres is available on the Ministry of Health Website for Plan G: see <https://www2.gov.bc.ca/assets/gov/health/health-drug-coverage/pharmacare/mhsucs.pdf>

Some high risk female offenders are linked to forensic psychiatric services providing assessment, treatment and case management services for this client population, providing linkages with local community mental health and substance use services, there are six forensic clinics within BC.

***Recommendation 7 - Repurpose the currently vacant open living facility associated with the Alouette Correctional Centre for Women, or such facilities elsewhere, as non-custodial transitional housing for vulnerable women released from custody.***

***Presiding Coroner Comment: The jury heard evidence that the Alouette Correctional Centre for Women currently has a vacant open living facility. It was their perspective that this centre may be a wasted resource that could potentially be used as transitional housing to ensure improved integration into the community for women leaving custody.***

Repurposing a portion of a correctional facility as non-custodial transitional housing presents legal, safety and security challenges. Individuals occupying transitional housing facilities are members of the community and cannot reside in a correctional centre. In addition, staff do not have the authority to search members of the public. Co-locating incarcerated individuals and members of the public creates significant risk for both populations given the potential exposure to increased contraband, including weapons, narcotics and cellular phones.

***Recommendation 8 - Engage in cooperative ministerial action, within the appropriate framework of privacy and security safeguards, to implement an effective continuum of services to foster communication and information sharing among providers of health and social supports and custodial care.***

***Presiding Coroner Comment: The jury identified significant gaps in the continuum of care between correctional settings and community living. They heard evidence about limited information sharing between various services providing supports to Ms. Desjarlais (including shelters, hospitals, and correctional centres).***

BC Corrections is a member of the Partners in Justice project, which will increase multi-agency dialogue and coordination to manage common clients in British Columbia. The project will document the current authorities that partner agencies rely on to collect and disclose personal information regarding a common client and the best practice for doing so. A large part of the work underway is intended to remove barriers to information sharing between various agencies.

The project includes justice partners, social services and stakeholders to:

- Enable integrated, risk based approaches to the delivery of services for common clients;
- Enhance collaboration by the sharing of information to provide efficient and effective case management of common clients;
- Reduce recidivism and keep communities safe; and,
- Engage partners in the development of a provincial information sharing agreement and protocols.

BC Corrections also participates in integrated units and tables such as the Surrey Mobilization and Resiliency Table (SMART) as well as the Vancouver Integrated Supervision Unit, the Drug Treatment Court of Vancouver and the Downtown Community Court. Each of these integrated units combine correctional services with health and social services.

***Recommendation 9 - Increase culturally appropriate support services for Indigenous women and provide training for community supports and corrections staff on available Indigenous supports within the community.***

***Presiding Coroner Comment: The jury indicated that supports for Indigenous women appeared to be overwhelmed and underfunded, and that support services for Indigenous individuals were oftentimes overlooked by mainstream providers.***

BC Corrections is committed to enhancing and expanding cultural supports, resources and programs for Indigenous clients under supervision, educating staff on the impacts of colonization and the unique needs of Indigenous men and women, and promoting awareness of culturally relevant resources and services. Aboriginal Liaison Workers are contracted by BC Corrections to provide cultural services and support to Indigenous clients in all 10 of our adult correctional centres. BC Corrections has increased Indigenous client access to culturally-relevant community resources, including educational resources developed by the Healthy Aboriginal Network (HAN) that convey warnings about the drawbacks of negative lifestyles and offer realistic messages and alternative options. BC Corrections is also working with the First Nations Health Authority (FNHA) to increase staff awareness and client access to culturally-specific mental health and addictions resources. BC Corrections partners with the federal government and Indigenous communities to implement the Indigenous Justice Program (IJP), which operates in 34 BC communities and provides community-based services that range from court diversion and restorative justice to the re-integration and community support for clients returning from custody centres. BC Corrections has also been working

with a number of Indigenous communities to implement a process to share information and work together to support the successful reintegration of members back to their community. The first Memorandum of Understanding (MOU) was signed with the Sts'ailes First Nation in June 2017 and a similar MOU was signed with the Tl'etinqox Government in December 2018. Letters of intent have been signed to complete additional MOUs with Tsleil-Waututh First Nation and Skwxwu7mesh (Squamish) Nations as well as the Nicola Valley Tribal Association. BC Corrections has received interest from other Indigenous communities to prepare similar MOUs and will continue to pursue further MOU opportunities.

The Court Services Branch of the Ministry of Attorney General is developing education and training for Court Services Branch staff that supports a culturally safe environment and improved interactions between court administration staff and Indigenous people. This initiative includes consultation with partners and stakeholders, and recommendations are expected to be delivered to the initiative's steering committee in early 2019.

***Recommendation 10 - Reduce incarceration rates for minor and administrative offences through the expanded use of alternative sentencing approaches.***

***Coroner Comment: The jury suggested that incarceration can lead to the disruption of services that contribute to the harm reduction and prevention efforts. The jury heard specific testimony about "Law Enforcement Assisted Diversion," a program that currently exists in Seattle, which provides an alternative to incarceration for vulnerable individuals.***

The Ministry of Public Safety and Solicitor General does not influence or order the incarceration of individuals. As such, the Ministry of Attorney General has agreed to respond to this recommendation.

Thank you for the opportunity to respond to these recommendations.

Sincerely,



Mike Farnworth  
Minister of Public Safety  
and Solicitor General