



C577776

October 20, 2020

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

Dear Lisa Lapointe:

Thank you for your letter of September 14, 2020, in which you provide the Verdict of Inquest concerning the shooting death of James Reginal Butters in Port Hardy, British Columbia on July 8, 2015. Your letter is addressed to Stephanie Macpherson, but as Assistant Deputy Minister, I am responding on behalf of BC Corrections as the recommendations involve both the Adult Custody Division and Community Corrections Division.

This inquest resulted in seven recommendations. Six recommendations were directed to BC Corrections, and one was directed jointly to BC Corrections and the Policing and Security Branch. In response to the recommendations from this inquest, BC Corrections provides the following:

Jury Recommendations to: Ministry of Public Safety and Solicitor General, BC Corrections Branch

Recommendation 1 – Provide any necessary prescription medication related to the inmate's safety and well-being at the time of their release.

Presiding Coroner Comment: The jury heard evidence that James Butters had requested to go back on medications and to visit a general practitioner weeks prior to his release date, which did not happen.

Response: Since the death of James Butters, the responsibility for health care services in provincial correctional centres was transferred to the Provincial Health Services Authority (PHSA) on October 1, 2017 and is currently delivered by the PHSA's Correctional Health Services (CHS) at all correctional centres.

CHS policy ensures that individuals whose release dates are known are provided with up to a 14-day supply of medications to ensure continuity of medication

Protect Communities, Reduce Reoffending

**Ministry of
Public Safety and
Solicitor General**

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therapy upon release into the community.

Recommendation 2 – Assume responsibility for arranging any forensic psychiatric assessments that are required in a probation order for inmates while they are incarcerated or immediately upon their release.

Presiding Coroner Comment: The jury heard evidence that James Butters sought out help for financial aid, medicine and clothing for the month after his release from prison. A formal diagnosis from the forensic Psychiatric Assessment would have qualified him for disability assistance. A witness stated that James Butters was frustrated with his lack of income assistance, felt like he was “kept in the dark as per a diagnosis”, and expressed frustration with starting disability paperwork and seeking Plan G assistance for medications.

Response: The Community Corrections Policy Manual directs staff to provide assistance to clients to comply with court-ordered conditions. Probation officers prepare referrals for mental health appointments and assist clients to attend.

Recommendation 3 – Provide training for probation officers to assist with their recognition and risk assessment of persons experiencing mental health symptoms.

Presiding Coroner Comment: The jury heard from a probation officer, who was responsible for risk assessment, that in April 2015 James Butters had a hostile personality and was closed off, although he was interested in going back on medication at this time. She also stated that Mr. Butters said he was not interested in assistance and was riding out his probation. She also stated that James Butters had not yet received his required forensic psychiatric services.

Response: The Community Corrections Division provides mandatory training for all probation officers that includes defining signs and symptoms of mental health challenges, monitoring clients for signs or symptoms of mental health challenges and making referrals accordingly.

In 2019, the Community Corrections Division introduced advanced mental health training for those working with complex needs clients. This training is designed to provide fundamental mental health information and case management strategies to the learner.

Recommendation 4 – Acquire a client’s probation file from any other province when the client moves into or returns to BC.

Presiding Coroner Comment: The jury heard that when James Butters returned to BC from Edmonton, there was no clear record of what services he received while away from the province of BC.

Response: The Community Corrections Policy Manual directs that, when a client transfers from another jurisdiction in Canada, the case manager requests a copy of the order, pre-sentence report and relevant documents.

In all cases prior to a jurisdictional transfer, the probation officer maintains contact with the receiving office, records information regarding the client, and takes action if required.

Recommendation 5 – Review the processes for ensuring a client’s continuity of care between correctional facilities, community corrections, and community mental health services.

Presiding Coroner Comment: Evidence heard by the jury showed that the lack of communication and accountability between probation officers and mental health services resulted in James Butters not receiving the required forensic psychiatric services despite his own request for assistance.

Response: Since this incident in 2015, BC Corrections has dedicated resources in the Integrated Transitional and Release Program, the Integrated Transitional and Release Program / Homelessness Intervention Program, and the Integrated Release Program to work with the Ministry of Health, Ministry of Social Development and Poverty Reduction, health authorities, police agencies and community resources to deliver integrated case management to support access to mental health, substance use, housing and employment services. With these agencies, case coordinators identify high-risk individuals and engage them in creating a multi-level case management plan. This includes a plan to ensure that sufficient resources are in place to assist with a successful transition back into the community, including mental health resources.

Individuals may also access resources and support through PHSA Community Transition Teams. These teams consist of a person with lived experience and a social worker who engage in short-term release planning and community transition for individuals participating in the opioid agonist treatment program in provincial correctional centres on a voluntary basis. They provide support to the individual in the community for 30 days and assist in accessing treatment, medical and addiction supports.

BC Corrections is broadening the target group for release planning for sentenced and remanded individuals whenever possible. Discharge planning begins as early as possible, often shortly after admission. Additional discharge planning begins once the individual is admitted to specialized programs or at any time during their period in custody.

To: Ministry of Public Safety and Solicitor General, BC Corrections Branch and Policing and Security Branch

Recommendation 6 - Prioritize any breach of probation by clients with diagnosed or known mental health and substance abuse issues.

Presiding Coroner Comment: The jury heard evidence that James Butters had missed two probation appointments, May 5 and June 8, 2015. He did not check in with his probation officer for over a month before a letter was issued to him on June 24, 2015 for breach of probation. There was no evidence that he ever received the letter.

Response: The Community Corrections Policy Manual directs probation officers, as a goal of case management, to monitor and enforce court orders in co-operation with other justice systems and law enforcement entities.

Supervision intensity and enforcement is increased for high-risk/needs offenders who have committed a personal harm offence. Intensified monitoring and enforcement are applied to high-risk offenders when core programs, referrals to other agencies, and reporting have been repeatedly resisted by the client.

Thank you for the opportunity to respond to these recommendations.

Sincerely,



Lisa Anderson
Assistant Deputy Minister
BC Corrections