

Standing Against Violence

A SAFETY REVIEW OF BC CORRECTIONS



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Message from the Parliamentary Secretary for Corrections



A handwritten signature in black ink that reads "Laurie Throness". The signature is written in a cursive style and is positioned above a thin horizontal line.

Laurie Throness
*Parliamentary Secretary
for Corrections*

My government gave me a task: to consult with officials within the Corrections Branch of the Ministry of Justice as well as related stakeholders, to tour correctional centres, to hold stakeholder consultation meetings, and to present a report to the Attorney General and Minister of Justice with cost-neutral recommendations to improve safety for communities, for corrections staff, and for inmates. The recommendations in this report reflect what I heard.

While my mandate referred specifically to adult custody, I thought it best to include community corrections offices in the review, because probation officers working in these offices supervise clients in communities. Seeing how clients are supervised gave me a deeper understanding of how to improve community safety.

My mandate focused on the enhancement of safety in relation to our correctional system, which I define as 'eliminating violence and the threat of violence' from the system. We have the responsibility to aim for a system without violence even if we fall short, because we will achieve much more by striving for the ideal. Throughout the consultative process, my mandate was taken seriously and I was treated with the highest of respect and transparency by the ministry. I had access to the information I requested and any staff, inmates or stakeholders I wished to speak to.

I was deeply impressed by the sincere passion and commitment of everyone involved with the system and their demonstrable concern for the welfare of a unique client population. In turn, I must offer my own respect and thanks to those who work so hard every day, often placing their own safety in jeopardy, so that other British Columbians can live secure and untroubled lives.

This review is separated into three main parts. The first will describe our present system and lay the statistical groundwork on which conclusions and recommendations are based — safety in context. The second will offer incremental safety recommendations that apply to the present system, and the third will discuss more transformational directions for the longer-term.



Executive Summary

The loss of liberty is our society's main sanction against criminal wrongdoing, with imprisonment as our most severe reaction to the transgression of our laws. Each day in British Columbia, 22,210 people are supervised in the community under court orders, while 2,462 are inmates at one of the province's nine provincial correctional centres.

Statistics show that there is little to no violence in community corrections offices, and BC Corrections staff working in custody are quite safe in their jobs relative to personnel in other ministries. However, violence between inmates has increased.

Incremental recommendations for correctional centres suggest a focus on those who are the most violent and separating those who want to change from those who don't. Enhancing access to risk-related information, measures to protect staff, and an expanded, less-crowded system will support safer institutions. Helping more offenders to find work, transition into society, and deal with mental health concerns and addictions will further enhance safety in custody and in our communities. Recommendations relating to community corrections offices are quite minor in nature.

A general discussion of transformational directions for the longer-term focuses on the problem of drugs and alcohol as drivers of crime in B.C. By helping people break free from addictions, recovery-based treatment in the community holds promise to reduce recidivism more than short custodial sentences.



Safety in Context

The Broad Statistical Picture

A SNAPSHOT OF OUR CORRECTIONAL SYSTEM

BC Corrections currently supervises 24,672 people¹, both in the community and in custody. This is roughly 0.4% of B.C.'s population. The maximum custodial sentence in the provincial system is two years less a day. Those receiving a custodial sentence of two years or more become the responsibility of the Correctional Service of Canada.

Some might be surprised to learn that few of our provincially-sentenced criminals are actually in jail. In fact, 2,462 people, supervised by 1,366 front-line staff divided into three shifts in a 24 hour cycle, are housed at B.C.'s nine provincial correctional centres, while 22,210 clients, of which 7,432 are on bail, are living in B.C. communities overseen by 516 probation officers working out of 55 community corrections offices throughout the province. These clients supervised in the community make up 89% of the total 'supervised population'.

Of those in custody, 1,194 people have been 'remanded,' which means that they have been accused of a crime but denied bail, so they must await their trial in a correctional centre. About 5% of these inmates are charged with serious federal Criminal Code offences, but they stay in provincial correctional centres until their conviction or release. Though the average stay for a remanded inmate is just 33 days, a few remain for the entire length of their long, complex trials – in some cases this can take years. While about 80% of remanded individuals will eventually be convicted, they are all innocent until proven guilty, which means that, although they are offered programs and work activities, none can be required to work or attend group sessions. Too often I heard that remand serves as a fruitful recruiting ground for gangs.

¹ As of January 2014; the numbers change daily.

Finally, B.C.'s custodial population is overwhelmingly male. About 93% of its clients are men, which is why there is only one institution wholly dedicated to women: Alouette Correctional Centre for Women in Maple Ridge (Prince George Regional Correctional Centre also has a small unit for women). Of those supervised in the community though, 16% are women, suggesting that the crimes committed by women are less severe. Indeed, Alouette has a decidedly relaxed atmosphere compared to some all-male facilities.

WHO IS SAFE, AND WHO IS UNDER THREAT?

It is interesting to note those who are not under threat in our correctional system. Volunteers who work with offenders in and out of custody enjoy an excellent safety record. In fact, during a stakeholder meeting, one society with 500 volunteers told me of just one minor safety incident in the last 25 years. A variety of volunteer groups at the stakeholder engagement meetings I held around the province offered similar responses and attributed their safety to their role in the system — their positions are not enforcement-related. Volunteers perform a helping role, offering opportunities for learning, personal interaction, spiritual counsel and help in the community. Offenders understand that volunteers are there to help and do not present a risk to their liberty.

In like manner, I was surprised to find that many staff members within correctional centres are in a similar position. Some interact constantly with high-risk inmates in complete safety, simply because they are not regarded as having an overt enforcement role. One officer who ran an industrial course told me that, in five years, no inmate had ever even sworn at her. School teachers, chaplains, kitchen staff, and librarians all spoke in similar terms.

Front-line staff working in inmate living units are more at risk in the system. Even here, B.C.'s method of 'direct supervision,' in which staff work within the correctional centres' units, side by side among inmates, promotes respect, relationship, understanding and order. I privately interviewed at least one front-line staff worker from each correctional centre and, without exception, they told me that they feel safe when they come to work in the morning, although they still experience stress. As a chaplain put it, 'they must always keep one eye open.'

A correctional centre is a volatile mix of people with anger management problems, gangs asserting their dominance, quarrels brought in from the street, and drug and contraband trade. A fight can erupt over food, a debt, or an imagined slight, and there is always the overarching risk of a group disturbance. These factors contribute to a higher risk of inmate on inmate assaults. Much of correctional centres' structure and protocol are designed to prevent this.

Measures of In-Custody Safety

After visiting all of B.C.'s provincial correctional institutions, I was satisfied that each is run with pride and professionalism: clean, maintained in top condition — and very secure.

I was impressed by how security and safety are built into every aspect of each building's design. Security is immediately obvious by the high walls, fences, and surveillance cameras everywhere, except in areas of privacy like bathrooms and inmate cells. There are many 'man traps' in which a person can be safely isolated between doors, and there have been precious few escapes.

While there have been a handful of 'walkaways' from outside work crews and required trips outside of the correctional centre, in the last five years there has been only one escape from a secure perimeter. This was in 2009, and the person was caught, criminally charged, and sentenced to additional custodial time for his actions.

Paradoxically, once inmates are closeted together inside the walls, separation becomes the prime directive. One progresses through numerous locked doors, which are controlled electronically from a central control point, with access granted only on visual and verbal identification from an officer.

Most inmates receive meals on wheeled carts within their units. They have access to exercise and other events according to schedules that ensure individuals or groups that have contact concerns are kept apart, with separate corridors to facilitate this. One institution holds six separate church services on a weekend for this reason.

If inmates feel threatened, they are able to request to be put in protective custody. So many request this protection that, in some institutions, more inmates are in protective custody than in the general population. This is in addition to sex offenders and others who are routinely placed in protective custody. The inmate population is therefore in constant motion, as staff shift inmates around the institution to prevent contact with those who might pose a threat. Alouette Correctional Centre for Women is the only institution without a protective custody unit.

Correctional centres are divided into living units that house about 40 inmates each and are constructed to grant strategic and immediate access to responding officers in the event of a critical incident. Every officer wears a personal alarm transmitter (PAT) that can be activated by a tap, or automatically if it lies horizontal for more than a few seconds. In addition, every institution has an Emergency Response Team (ERT) made up of about 24 staff members trained and available to suit up in full riot gear to respond to critical incidents.

THE USE OF FORCE IN CUSTODY

Despite many precautions, there is violence within our institutions. One way to judge the amount of violence within our correctional centres is to look at how force has been used in a given period by corrections authorities.

It should be noted that lethal force is not exercised by BC Corrections staff — there are no firearms in our provincial institutions. The use of lethal force is reserved to police who can be summoned in an emergency. While firearms may offer an advantage in the use of force, their presence would add an unwelcome intensity to correctional centre life, and there would always be the risk that they could fall into the wrong hands.

Bearing in mind that all the following measures of the use of force were spread among our nine institutions, BC Corrections tracks four useful measures:

1. CONDUCTIVE ENERGY DEVICE (CED)

All correctional institutions have been equipped with CEDs, commonly known as *Tasers*, since 2003. Statistics record their use 34 times since they were introduced, with just one use in the last five years.

2. IMPACT DEVICES

Certain designated staff carry a baton called an 'impact device.' Impact devices were used six times in the last five years.

3. USE OF RESTRAINTS

If necessary, inmates may be restrained by handcuffs. Some may be ‘wrapped’ in a garment that secures their limbs. A ‘board’ may be used in more extreme cases, which is a system of seatbelt-like restraining straps affixed to a rigid board. With the exception of handcuffs used during movement of high-risk or violent inmates, restraints were required 83 times in the last five years.

4. PEPPER SPRAY

Each staff member carries pepper spray, also known as ‘OC spray,’ named for its chemical composition, *oleoresin capsicum*. This is the restraint of choice in the system, having been used 536 times in the last five years, mostly to break up fights between inmates. Its use has been steadily rising over the past five years — from 89 times in 2009 to 145 times in 2013 — although the average daily inmate count has declined slightly, from 2,762 in 2009 to 2,511 in 2013.

INCIDENTS OF VIOLENCE

In B.C.’s correctional centres, many individuals with anger management problems live in close quarters. Often they know each other from the street and they bring their quarrels with them into the correctional centre, whereas some just like to hurt other people. There is a certain volatility to group behaviour, and staff have to be mindful of the potential for a group of inmates to get out of control. Also, the number of those suffering from mental health and/or addictions, which may mean they are not fully in control of their behaviour, is increasing.

There are several measures of violence that we will explore.

1. VIOLENCE AGAINST STAFF

Over the past five years, there were a total of 211 assaults, 162 threats and 62 other incidents of violence against staff (including a combination of assaults, threats, fights and attempted assaults) across our nine institutions. In 2013, there were 45 assaults, which marks an increase of 18% since 2009. Threats exclusively have increased by much more. In 2009, there were 24 threats, but in 2013 there were 55 — a 129% increase.

On 203 other occasions over the past five years, assaults and threats of violence against staff took place indirectly when staff responded to an incident between inmates. In 2013, there were 54 such indirect assaults and threats — more than double the 20 events in 2009.

2. INTENSITY OF VIOLENCE AGAINST STAFF

Intensity can be measured by injury. Over the past five years, there were 413 staff injuries due to inmate-on-staff assaults or as a result of staff responding to an incident between inmates. Twenty-four needed no treatment, 303 were treated on-site, 26 were treated off-site, and 60 were treated in-hospital.

3. VIOLENCE BETWEEN INMATES

Violence between inmates varies by institution. Remand centres and larger, sentenced facilities house more serious offenders and are more prone to gang activity. North Fraser Pretrial Centre recorded 188 assaults in 2009 and 279 in 2013 — a 48% increase over five years. In comparison, Ford Mountain primarily houses sentenced sex offenders and inmates who have mental health needs, recording just eight assaults last year and 13 in 2009.

Here is the average number of incidents per 100 inmates per month, over the last three years.

CORRECTIONAL CENTRE	RATE OF VIOLENCE (PER 100 INMATES, PER MONTH)
VANCOUVER ISLAND REGIONAL CORRECTIONAL CENTRE	5
PRINCE GEORGE REGIONAL CORRECTIONAL CENTRE	4.5
NORTH FRASER PRETRIAL CENTRE	4
KAMLOOPS REGIONAL CORRECTIONAL CENTRE	4
SURREY PRETRIAL SERVICES CENTRE	3.5
FRASER REGIONAL CORRECTIONAL CENTRE	3.5
ALOUETTE CORRECTIONAL CENTRE FOR WOMEN	2.5
NANAIMO CORRECTIONAL CENTRE	2
FORD MOUNTAIN CORRECTIONAL CENTRE	1

From these figures, we can see that an inmate in Vancouver Island Regional Correctional Centre has a 5% likelihood of experiencing a violent incident in any given month, while in Ford Mountain, there is a 1% likelihood of such an event.

4. INTENSITY OF VIOLENCE BETWEEN INMATES

The tale of injuries suffered by inmates is a sad one indeed. Over the past five years, there were 4,203 events involving assaults. However, there were 5,382 injuries, as more than one person was injured in some events. Although we don't know how many were treated in hospital, 5,179 of all injuries were serious enough to require medical attention. Over the past five-year period, injuries increased from 830 in 2009 to 1,145 in 2013 — an overall increase of 70%. Inmate injuries have increased by 25% in the last two years.

WEAPONS

I received statistics on the numbers of weapons found in our institutions. There have been 540 'incidents' involving weapons over the last five years. An incident includes weapons taken from an inmate prior to entry or found within the institution, but also mere reports of weapons or the discovery of unfinished weapons in custody. Most weapons are fairly primitive objects, such as toothbrushes and razor blades fashioned into crude knives.

Incidents range from only four at Alouette Correctional Centre for Women to 115 at Fraser Regional Correctional Centre, with no appreciable increase in discoveries over time.

It is exceedingly rare to find a handgun in a correctional centre. For example, the last firearm found was at Vancouver Island Regional Correctional Centre in 1983, where it was used in a hostage-taking incident.

IN-CUSTODY DISCIPLINARY HEARINGS

Disciplinary hearings present another measure of the state of our correctional centres. In the event of an incident which breaches the *Correction Act Regulation*, a hearing which follows the principles of Canadian administrative law, is held by a neutral manager in the institution. The results can range from a sentence in segregation, intermittent confinement to a cell, or the loss of earned remission days.

Over the last five years, 19,841 disciplinary hearings were held for the following most frequent reasons:

BREACH OF RULE	NUMBER OF DISCIPLINARY HEARINGS
ATTEMPT TO OBTAIN OR POSSESS CONTRABAND	3,669
ASSAULT OR THREATEN ANOTHER PERSON	3,017
PHYSICALLY FIGHT WITH ANOTHER PERSON	2,855
DISOBEY A DIRECTION OF A STAFF MEMBER	2,694
ENTER ANOTHER'S CELL OR LIVING UNIT WITHOUT LEAVE	1,999
BEHAVE IN AN INSULTING OR ABUSIVE MANNER	1,641

Most hearings dealt with breaches of the correctional centres' rules while a quarter of them pertained to actual violence. Still, this is a large number of hearings and shows the strength of anti-social and anti-administration activity in our institutions. Over the past five years, the number of hearings has actually declined by 11% — from 4,374 in 2009 to 3,876 in 2013. It is difficult to reconcile the declining number of hearings with the sharply increasing incidences of violence between inmates.

Measures of In-Community Safety

The history of our community corrections offices is radically different than the in-custody record, and it doesn't take long to relate. In the last five years, there were a total of 85 assaults between clients in community corrections offices, resulting in 31 injuries. Thirty-five assaults on staff resulted in one staff injury. While 20 clients needed medical attention for their injuries, no medical attention was required for the single staff person who was injured.

This is a remarkable record when we consider that, each day, 516 probation officers are supervising 22,210 clients in the community, while close to the same number of front-line staff are supervising 2,462 inmates in custody.

Comparison With Health and Social Service Workers

For purposes of comparison, I requested and received statistics from all five health regions in the province that summarize events of violence and the threat of violence from institutions under their authority. Although the statistics could not be directly compared due to differing levels of detail, baselines and fiscal years, there are some general conclusions we can draw and trends that we can identify.

First, although a 'no tolerance' policy over the last three years may have increased reporting to a degree, there are many such incidents throughout our health care system. Fraser Health Authority, for example, reported 497 incidents of aggression toward staff in 2012/13 — 96 of them were verbal and 383 were actual physical assaults. Vancouver Coastal Health Authority reported 489 such events — 108 of them verbal and 363 physical.

In 2013, Vancouver Island Health Authority's health protection officers used force 1,381 times to restrain or control a patient or visitor.

This trend in violence is also clear – it's moving upward. Vancouver Coastal Health reported 249 physical assaults against staff in 2010/11, but 363 in 2012/13 — a 46% increase. Vancouver Island Health Authority staff suffered 425 physical assaults in 2012 but 644 in 2013 — a 52% increase. Interior Health Authority recorded 581 physical assaults against staff in 2010, but 1,011 in 2013 — an increase of 74%. Northern Health Authority reported 144 physical assaults against staff in 2009, but 370 in 2013 — an increase of 157%.

I made the same request of the Ministry of Social Development and Social Innovation (SDSI). Officials from SDSI told me that, over the past five years across the province, there have been 614 recorded threats to staff, 180 cases of violence against staff (though no physical harm resulted), and 103 death threats toward staff. No significant increase in incidents has taken place during this time.

I include these comparative statistics to show that the violence and threats of violence experienced by BC Corrections staff is not unusual. In all likelihood, different government ministries deal with some of the same individuals.

Conclusions About Safety

As I visited each of our correctional institutions and met with front-line staff, they told me repeatedly, in a spontaneous and unsolicited way, that violence has increased over the last two to three years. The statistical record in corrections and health care generally echoes this trend.

Staff listed various reasons: the concentration of correctional centre populations, gangs in correctional centres, and most of all, the changing character of the typical 'new' offender. In the past, there was an understanding among prisoners that older inmates should be respected. This is now gone. Today's young inmates are more self-interested and with fewer loyalties, capable of engaging in acts of serious violence with little awareness of or concern about the consequences of their actions.

Front-line staff as well as stakeholders involved with the health and welfare systems uniformly told me that violence is also closely related to mental health, most often caused or exacerbated by addiction-related problems. Street and prescription drugs are ever more potent, and when a person with an addiction problem resorts to the cheapest of intoxicants like hairspray and hand sanitizers, bizarre and unpredictable behaviour results.

In conclusion, the evidence shows that we need to be most concerned about our in-custody population. Even though our staff are not at undue risk given the client population they supervise and the security measures they utilize, the trends we observe across our system show that a serious safety incident could be on the horizon in one of our urban male institutions, especially where there is a higher concentration of young inmates with connections to gangs.

Steps can and should be taken to mitigate safety risks. I will therefore begin with in-custody recommendations. Fortunately, there is a comparatively low risk in the community, though some incremental improvements can be made and I will also offer recommendations in this regard.



Incremental Recommendations

In-Custody Recommendation: General Safety Improvements

USE OF THE CORNET DATABASE

1. *It is recommended that classification officers receive ongoing training to more effectively manage the risk associated with inmates who share cells, that access to risk and safety-related information by BC Corrections staff be improved, and that access to information in CORNET by selected law enforcement personnel be enhanced to increase safety in custody and in the community.*

The classification officer in each institution fills a vital role. This person interviews every incoming inmate and decides, on the basis of this interaction as well as the inmate's detailed record in a very comprehensive database called the *Corrections Network* system (CORNET), whether that person should be placed in secure, medium, or open custody. A mistake made here could have serious safety consequences. Officers are very accurate and errors are few. However, it was suggested to me by an inmate that incompatible people are sometimes placed in cells together, such as a longer-term inmate with one suffering from withdrawal symptoms, which can result in safety risks. Ongoing training for classification officers could alleviate this problem.

CORNET, which was rebuilt in 2005, is a comprehensive offender management system used to manage risk and inform case management decisions for inmates in custody and clients in the community. It can be difficult for front-line staff to quickly find and utilize all the relevant information in the CORNET database that may be required for critical, time-limited tasks and decisions, such as assessments and admissions.

Other front-line justice agencies working in B.C. communities, such as police, Crown and child protection workers, could benefit from role-based access to detailed and timely CORNET information tailored to their professional roles and responsibilities. Today, improved information management and security technologies can allow privacy-compliant, secure access to carefully-prescribed information designed for use by designated roles in agencies outside of BC Corrections. For example, providing police with access to information designed to inform a decision to release or detain an individual arrested on a Saturday night will reduce risk and improve public safety across the province. The ongoing work to enhance the management, use and access of offender data should continue.

ENHANCING SAFETY FOR FRONT-LINE STAFF

- 2. It is recommended that ongoing structural safety improvements continue, and that personal temperament and verbal de-escalation skills be prioritized in the screening requirements for the hiring of officers and demonstrated through role-plays.*

Front-line staff are constantly on the floor of every unit. They occupy a desk, which is not always on a raised platform, with clear lines of sight and clear means of egress. However, the records area where inmates are first admitted is not always completely secure. It should be difficult for those inmates being admitted into custody, who could be intoxicated or angry from an arrest, to access the staff area behind the counter in the admissions and discharge area at all of B.C.'s correctional centres. This work is already in progress, and should be completed.

I was told time and again that staff are able to maintain a safe workplace by engaging an aggravated offender with words rather than force. A cool, calm demeanour and the ability to de-escalate a situation are integral to the safety of in-custody and probation officers alike. In the hiring process, the *Qualifications, Knowledge, Skills and Abilities, and Competencies* selection criteria could more clearly reflect such personal qualities. A misunderstanding here could mislead prospective officers as to their complete function and cause some to be hired who do not possess all the right qualifications. Role-plays held during the hiring process would offer candidates the opportunity to demonstrate the necessary skills.

ADDRESSING INMATE TO STAFF RATIOS

The B.C. Government and Service Employees' Union (BCGEU) has expressed concern about inmate to staff ratios, which was echoed by the media. Union representatives said that ratios of inmate to staff were once set at 20:1, and are now more than double that. BC Corrections' practice is to place one full-time officer in every living unit. Each unit can hold from 20 to 60 people. Additional staff and correctional supervisors rotate through frequently, and all living units are monitored constantly via closed-circuit TV.

When I asked front-line staff about their views I received mixed responses. All felt that ratios have increased in recent years and that higher ratios could be less safe, but none actually felt unsafe in their current environment. I think it is common sense that a higher inmate to staff ratio would normally be a less safe environment for staff and inmates, unless targeted measures are taken.

I found that BC Corrections takes a risk-based approach when deciding where to place inmates. Inmate placement is made and adjusted according to risk assessments made by classification officers. For example, at Vancouver Island Regional Correctional Centre the ratio of inmates with mental disorders to staff is currently 12:1. Much of the violence against staff occurs in segregation units which are already routinely double-staffed.

3. *It is recommended that the capacity levels of inmate units and the opening and closing of those units be adjusted accordingly to mitigate safety issues.*

Over the past three years, budgetary pressures along with falling inmate counts have resulted in some unit closures, so that 35% of inmates are presently double-bunked. If inmate counts stay as they are, further closures could cause double-bunking to rise as high as 47%; a safety risk that requires attention.

Cell crowding can be mitigated by careful redistribution of the highest-risk inmates. To further reduce risk, units should be reopened if the inmate count rises, or if there are significant safety concerns about interactions between high-risk inmates.

Over the long-term, the best way to alleviate tensions in institutions is to separate inmates by providing more cells, and the ministry has been working towards this. The recently-opened addition to Surrey Pretrial Services Centre has expanded the system by 216 cells, and the Okanagan Correctional Centre in Oliver that will be completed in the fall of 2016 will expand capacity further by 378 cells. This will mark a 33% system expansion, from 1,796 to 2,390 cells.

While it is projected that B.C.'s growing population will increase inmate counts by 25-50 inmates per year, this must be balanced against the declining numbers of offenders actually sentenced each year - which is probably a function of our aging population. This trend is likely to continue in tandem with current demographic projections. Here are the numbers of those sentenced over the past five years:

2009	2010	2011	2012	2013
21,153	20,571	20,211	18,945	18,468

Taking both these trends into account, inmate counts can be expected to vary little over the long term. Because of the system expansion currently underway, staff to inmate ratios can be expected to fall naturally, and I see no need to recommend further change in this regard.

PROSECUTING VIOLENCE

4. *It is recommended that inmates be warned and signs be placed that indicate that violence and the threat of violence will not be tolerated.*

As we have seen, there are many assaults in correctional centres — some with the use of weapons and some which cause serious bodily harm. If inmates knew that they would be prosecuted to the fullest extent of the law for violence or threats of violence, thus carrying the potential of more serious time in the federal system, it might act as a deterrent. As I moved about the provincial correctional centre system, I did not see signage that clearly warned incomers that violence will not be tolerated, as I have noted in provincial hospitals and other provincial institutions. Notices should be placed conspicuously, and supported by action.

5. *It is recommended that a second and subsequent aggressor be treated more severely than the first.*

I was told that a fight within a correctional centre used to be a matter of honour, but that is no longer the case. An inmate who becomes an enforcer within a correctional centre will now order several inmates to assault a third party, even though they have no personal disagreement with the victim. These cowardly acts may only take a few seconds, but can result in serious injury and make new enemies between people who were previously unknown to each other.

There is no 'third man rule' in the *Correction Act Regulation*. If a second and subsequent attacker were to be identified and treated more severely within the existing disciplinary regime, it might deter multiple aggressors. The Disciplinary Chair already has room within the *Correction Act* and *Correction Act Regulation* to impose a penalty appropriate to the individual's part in such incidents, but further attention to policy, procedures and training could more specifically address this issue.

DRUG CONTRABAND IN CORRECTIONAL CENTRES

- 6. It is recommended that officials examine alternatives to methadone that are effective, but less marketable, addictions treatments in order to reduce drug contraband.*

All staff said that there is a lively commerce in correctional centres. The statistics confirm this. There were 3,669 disciplinary hearings over the last five years for those trading or possessing contraband, which includes illegal and prescription drugs. Over the last five years, there were 1,445 incidents involving drugs in our institutions — over half involved marijuana. Numbers are increasing — from 258 incidents in 2009 to 387 in 2013. Moreover, front-line staff told me that they sometimes smell drugs in a unit or see a prisoner high, without finding the source.

Each of the larger institutions record about 50 drug-related incidents per year, which includes mere reports of drugs, and drugs seized prior to entry into an institution. The problem can hardly be said to be out of control — and staff do a good job minimizing it. However, the presence of drugs is a continuing issue that requires ongoing diligence and vigilance.

A quarter of the incidents involved pharmaceuticals, such as methadone, which is dispensed in correctional centres. About 9% of the correctional centre population is on methadone at any one time, and officials admit that it is traded even after being ingested by inmates. They discourage its use for that reason. I was told that Ford Mountain Correctional Centre does not allow methadone at all, and is so desirable a place to go in our provincial system that inmates will get off methadone in order to be placed there.

When inmates trade in drugs like methadone, they may incur debts that result in violence. The Ministry of Health is undertaking a review of methadone, and there are newer drugs covered under Pharmacare, like Naltrexone or the generic form of Suboxone, that are effective, comparable in price, do not provide feelings of euphoria, and are less addictive, and therefore are less likely to be traded.

POLICING IN CORRECTIONAL CENTRES

- 7. It is recommended that inmates with 10 or more disciplinary hearings be subject to more intensive programming within provincial institutions.*

Just as there are prolific offenders in open society, there are prolific offenders within correctional centre societies.

The Corrections Branch supplied the following facts:

- » There were 19,841 disciplinary hearings in the last five years, but only 6,690 unique individuals;
- » 20% of the 6,690 individuals had 4 to 9 hearings;
- » 5% had 10 or more hearings; and
- » One individual had 48 separate hearings.

Bearing in mind that each hearing is like a mini-trial, if those with more than 10 hearings within the correctional centres — just 312 people over five years — were targeted for more intensive activity involving substance abuse treatment or cognitive behaviour therapy, and perhaps separate confinement if necessary, there could be as many as 4,718 fewer incidents resulting in disciplinary hearings — a reduction of 24%. Such special attention would not need to be defined as a penalty, but as necessary attention resulting in positive behavioural change.

WORK IN CUSTODY

- 8.** *It is recommended that BC Corrections establish a social enterprise corporation to seek out and execute self-sustaining subcontracts at commercial rates to provide more work opportunities within correctional centres.*

Work has long been regarded as rehabilitative because it occupies time, engages the mind, develops habits of discipline, builds skills, and fulfils an inner desire to be productive. Indeed, BC Corrections makes work mandatory for all sentenced prisoners who are capable of it, and throughout all our institutions I noticed opportunities for work. Not only do inmates clean institutions and perform kitchen duty, there are large and well-equipped carpentry, metalworking, and tailoring shops (for example, inmate uniforms are made by inmates) and other work venues inside and outside. Inmates repair and build a variety of items for charity and sale, and even do work for other government ministries or for charities in other countries. Some of their work displays real skill, and some is inspiring.

As I talked to staff who run shop programs dealing with sharp metal objects and dangerous machines, none felt that their safety was in jeopardy, because inmates are on their best behaviour while working. If more inmates worked, and worked longer days, our institutions would be safer. However, there are always long waiting lists for work programs, and the sentiment was universal: more work is needed. This is especially important as offenders transition back to open society. Without an occupation, most will revert to what they know — making a living through crime. New skills offer an opportunity for a legitimate lifestyle.

At times, BC Corrections staff are hard-pressed to find meaningful work for inmates to do. One institution with a metal working shop has taken on a private subcontract where steel fences are brought into the shop for repair by inmates. This is an excellent example of effective work. If a social enterprise corporation was created by BC Corrections, similar subcontracts could be sought at commercial rates (to discourage unfair competition with the private sector) and workers could be paid something closer to a commercial wage. The contract would be self-sustaining.

- 9.** *It is recommended that BC Corrections explore certifiable trades training within correctional institutions with nearby learning institutions, including training in shorter-term certificates to equip more transitory inmates with job-ready skills, and that staff reach out to employers in a systematic way to help inmates find work.*

B.C. is currently in need of skilled workers in the trades. Our upcoming LNG industry forecasts a need for 100,000 workers, and under the care of BC Corrections we have a potential workforce of under-employed British Columbians.

I found that training intentions in correctional centres were good, but more could be done to equip inmates with identifiable skills that lead to an attractive wage in the job market. I met with staff at the Trades and Technology Centre at the University of the Fraser Valley (UFV), who were eager to help inmates serving longer sentences begin the 32-week, in-class portion of Red Seal apprenticeships. Inmates could be brought to UFV for classes, or university staff could travel to institutions to teach on a contract basis. There are other more elementary certifications that take less time. For example, I met with individuals working in B.C.'s trucking industry, which will soon require many new drivers as baby boomers retire.

Finally, employers are often wary of hiring people with a criminal past. More and more employers are requiring a criminal record check, which narrows an inmate's chance of finding a job on the outside and making a successful transition. At a public function I met a local business person, and when I told him of my desire to help inmates find work, he was eager to assist. "These are British Columbians who deserve a chance," he said, offering a free set of equipment for training purposes inside an institution, leading to well-paying jobs for inmates when they come out. Particularly in our tight job market, there must be more employers willing to hire someone who needs a new start. Staff could canvas selected employers and maintain a registry on BC Corrections' website for employers willing to hire appropriate inmates.

Easing the Transition to the Community

STAKEHOLDER INVOLVEMENT

- 10. It is recommended that BC Corrections institutions offer to host regular meetings on their premises or in some more convenient place, so that all community stakeholders can better coordinate their independent activities, including transition planning.*

In every community, I was deeply impressed with the enormous community resources expended by passionate and well-meaning volunteers and non-government organizations. At one stakeholder consultation I asked how many volunteers the attendees represented; they numbered 1,238. The *2012 Annual Report of the City of Surrey's Crime Reduction Strategy* describes a truly vast array of some 258 different community programs that impact crime. We live in a wonderfully caring society.

In a few stakeholder meetings, I found that some individuals who had been working with similar offender and other marginal populations for years had never met. One city holds a monthly meeting to which all stakeholders are invited in order to coordinate efforts, but this was lacking in most areas. More NGO coordination would lower the cost and effort of dealing with a difficult marginal population, resulting in greater success. BC Corrections could assist, simply by facilitating regular community meetings.

- 11. It is recommended that government collaborate more closely with NGOs to assemble transition plans for all those released for a year, in an attempt to reduce recidivism to the point where government resources are adequate to routinely offer transition plans to all.*

The 'first day' out of a correctional centre is the hardest day. Where does a newly-released offender go on that first day away from the institution? Does he or she have any social supports, proper medications, money, personal identification, a place to live or any job prospects? The answer to all these questions is too often 'no,' and thus offenders revert to what they know: the criminal lifestyle, followed by a quick return to a correctional centre. If better assistance could be provided during this transition, there might be fewer relapses.

Enter the Integrated Offender Management (IOM) program, which began as a pilot in three institutions in 2006 featuring an 'IOM team' consisting of custody and community case coordinators, deputy wardens, and local managers working with individual offenders to provide supports in community. A 2011 evaluation of IOM showed that it reduced reoffending for participants by 23% over the following six months — not by persuading people to change, but simply by providing for their basic necessities.

Stakeholders spoke in idealistic terms of 'wraparound' services that touch all aspects of an offender's life and urged the extension of IOM across the correctional system. This is slowly being done. Currently there are IOM teams in four centres, with two more to come within a year. However, the sheer size of the task is daunting. In 2012/13 alone there were 15,998 inmates released from custody. Even though 9,101 were remanded inmates, and not provincially sentenced, they might still require a plan. This is why IOM focuses on high-risk inmates with a prior sentence and at least six months of probation mandated after release.

This is a classic catch-22 situation. To craft a transition plan for so many inmates, IOM teams would have to slow the high 'churning' of the supervised population — but the population will continue to churn at a rapid rate until transition plans become standard. Meanwhile, government resources are limited. Enter a number of voluntary organizations, such as the John Howard Society, some of which already assist with transition care. If custody and community case coordinators were able to enlist existing community resources to augment their work over a one-year period, perhaps reoffending would drop enough to enable government workers to routinize transition plans for all. The prospect of an ongoing reduction in recidivism beckons.

- 12. It is recommended that staff regularly assist inmates, beginning upon admission, to prepare for release by helping to prepare documents that will help them live independently.*

Discharge planning should begin upon entry into a correctional facility, not upon release. At times, people are discharged from a correctional centre with no identification other than a letter from BC Corrections. Custody and community case coordinators could assist offenders to use their time within the institution to apply for and receive routine identification, such as a Social Insurance Number, BC Services Card, or driver's licence.

A number of stakeholders said that some inmates also leave a correctional centre with no money for food, shelter or other necessities. This is a significant safety risk. For a relatively low cost, government could help to ensure that inmates are not destitute upon release. Employment and Assistance (EA) staff work with any person who seeks financial assistance. Currently, some centres have dedicated EA workers that form part of the recently piloted Integrated Offender Management (IOM) program to help facilitate the application process.

For centres that don't currently have an IOM program, once EA workers are notified by correctional staff of an inmate's intent to apply for income assistance, intake workers across the province will prioritize the application of inmates who need assistance upon release. Corrections staff are responsible for ensuring inmates schedule an appointment with an EA worker and that all documents needed for the application are correct and complete. Individuals applying for income assistance upon release from a correctional facility will have a file opened at that time.

In addition, plans are currently underway to ensure that inmates are given information upon admission on how to apply for income assistance to ensure they have the resources they need upon their release. However, the process is ad hoc in some respects, and differs in each institution. Ideally, every inmate who needs one should have an open file when they leave.

Many stakeholders expressed frustration that offenders with serious mental health issues are discharged without the proper prescription medications. When they go off their medication, they become vulnerable to further criminal behaviour.

This makes no sense from a public policy or a health perspective. To this end, custody and community case coordinators or staff could routinely assist inmates to fill out Pharmacare applications well before release so that the cost of medications will be less of an obstacle on the outside, and make medical continuity an integral part of the transition plan.

THE USE OF OPEN CUSTODY

- 13. It is recommended that open custody serve as a transition to society for selected inmates by allowing daily work or study in the community followed by custody each night.*

The federal system of parole has been created because data has shown that staged release to society is effective. As the Parole Board of Canada's policy manual states: "Supervised release increases the offender's potential for successful reintegration and, thereby, contributes to the long-term protection of society." This principle of staged release could be applied to our provincial institutions in the following way. Our institutions are divided into three security categories: secure, medium, and open custody. Open custody arrangements are decidedly relaxed, with inmates living in dormitory-style settings, allowed more freedom on the correctional centre grounds, and encouraged to participate in work crews that travel from time to time outside the correctional centre.

Open custody could operate more like a halfway house, where inmates, selected on a case-by-case basis, spend the night in the institution but attend school or work in the community during the day. They could also use this time to establish relationships within the community and make arrangements for housing and more permanent employment. In this way, the transition to the community would be more gradual and natural.

- 14. It is recommended that a 'Right Living Unit' be established in every provincial institution.*

I visited *Guthrie House*, a 'therapeutic community' within Nanaimo Correctional Centre. Here, inmates who willingly commit themselves to change are separated from the general correctional centre population. They work as a community to encourage pro-social behaviour, and call each other to account for negative behaviour. Many stakeholders asked for the establishment of another therapeutic community in the province.

Although too few inmates have sentences of adequate length to facilitate another therapeutic community, there is a similar program operating within Ford Mountain Correctional Centre, where one living unit is dedicated to the concept of 'Right Living'. Here, inmates commit to abide by community rules, remain drug free, participate in a variety of programs, and display civility, manners, and respect. Breaching a 'Right Living' commitment results in a return to medium or secure custody. As there are multiple living units within each institution, one unit in each institution could be separated from the rest and dedicated to those who desire to change through 'Right Living'.

DEALING WITH MENTAL HEALTH NEEDS AND ADDICTIONS

- 15. It is recommended that the ministries of Health and Justice collaborate to adopt the Vancouver Intensive Supervision Unit (VISU) model in selected urban communities for the treatment of non-violent clients with severe mental health needs.*

Across the board, I heard that staff and stakeholders alike are encountering increased numbers of those suffering from mental health disorders — people they are not qualified to deal with. The best number we have is an old one. In 2008, it was estimated that 56% of the corrections population suffer from a diagnosed mental health disorder, on its own or concurrent with an addiction.² This translates to a significant amount of people in our institutions.

From my further discussions with staff and stakeholders I would estimate that, within this population, 56% is an underestimate and that there is a larger number on any given day with more severe conditions. Those I consulted gave two reasons for the increase in this population. Many cited the impact of drugs of increasing potency and uncertain provenance. Even professionals I spoke to could not discern whether drugs were the cause or the effect of the disorders, but all noted that they were concurrent. Others talked about the closure of Riverview Hospital in 2012.

As I toured the segregation units where many of the most difficult people are presently housed, I began to understand that there are some in our society who simply cannot live in an unstructured environment. They will eventually find their way to a government institution, and BC Corrections becomes the ‘institution of last resort’ for some who are ill. Government cannot avoid this.

I visited the Vancouver Intensive Supervision Unit (VISU), which impressed me as a semi-institutional model appropriate for some with mental health issues. Several branches of government, including health and corrections, collaborate under the VISU umbrella to supervise about 50 difficult offenders on probation in the Downtown Eastside. They liaise with market-based landlords or find supportive housing for their clients, meet with them regularly, help with medications and other arrangements, and seek them out in the streets and alleys to look out for their welfare. This relatively low-cost solution maximizes the freedom and normality of life for offenders while protecting society. It is most economically feasible in a few urban areas where a sufficient number of needy individuals exists.

16. *It is recommended that the Ministry of Health explore potential options to better serve inmates with mental health issues and complex behaviours, either in the community or within correctional centres.*

I toured the Burnaby Centre for Mental Health and Addiction, the only facility in B.C. for those with concurrent disorders involving mental health and addiction. This 100-bed semi-secure treatment facility cannot provide care for those who display violence, or those on probation. On the other hand, the Forensic Psychiatric Hospital is a highly-secure 190-bed treatment facility for those in conflict with the law and deemed to be not criminally responsible for their actions. It also serves individuals transferred temporarily from correctional facilities to be assessed or receive treatment for a mental illness under the *Mental Health Act*. However, on a regular basis, managing inmates with mental health needs falls to BC Corrections within our institutions.

There is an ongoing discussion about what arm of government should be responsible for BC Corrections clients with special mental health needs – people who often fall between the cracks. BC Corrections is equipped to deal with the incarceration, but not severe mental health issues. The Ministry of Health’s expertise is mental health, but not incarceration. Inter-ministry work between BC Corrections and the Ministry of Health in this regard is ongoing through the *Partners in Change* project, which improves the continuity of care for inmates and community clients as they cycle between health and corrections. A provincial service delivery framework, information sharing protocols and transition protocols are under development between BC Corrections, the Ministry of Health and Health Authorities. The project is also working to develop long-term solutions for the management of inmates requiring involuntary treatment and reduce waiting periods.

² Cartar, L., Russo, J., and Somers, J., *Corrections, health and human services: Evidence-based planning and evaluation*, Centre for Applied Research in Mental Health and Addiction, Simon Fraser University, February 2008.

In-Community Recommendations

PROBATION OFFICERS AND THEIR WORKPLACE

We have already noted the excellent safety record of community corrections offices. I toured nine offices throughout the province and met with all available staff at each one. Standard provisions in each office are a waiting room, at least one secure interview room with Plexiglas separating the interviewer from the client, an administrative area, and offices of probation officers leading to a back door. In most locations, clients are brought through the hallways into private offices for interviews with probation officers that often last as long as 45 minutes.

Probation officers once concentrated on enforcing the conditions of probation set by the courts; their job was to police clients who breached their conditions and return them to a correctional centre. About a decade ago this perspective shifted toward a helping role. While still tasked with breaching clients who behave badly, officers now see themselves more as change agents with an ongoing caseload of about 55 clients each. They regularly interview clients at length and help them get to a better place. The officers I met are passionate about their jobs and convinced that they are effective in achieving change.

When I asked a group whether they would like to have increased security in their offices, such as OC spray at their desks, one officer said that she would rather quit than work under such circumstances. At every turn, they discouraged security arrangements that would place clients at arm's length, saying that such structures can actually provoke outbursts by giving officers a false sense of security, leading them to use provocative language. They universally attributed their safety to their verbal skills and the relationships they develop with their clients. I was impressed by their skill, courage and dedication.

OFFICE SECURITY

- 17. It is recommended that minor improvements be made to the security of community corrections offices.*

Various safety precautions are routinely taken. Staff follow clients, not the other way around. Some require clients to leave backpacks in the waiting room. Most don't leave heavy or sharp items on their desks or place family pictures on their walls. All officers have panic buttons at their desks connected to a central panel in the administration section; these buttons have rarely been activated except by accident. If a client raises his or her voice in an office, other officers immediately congregate on the scene to help. Officers who teach courses in the evenings never do so alone. None said that they feel unsafe in their workplace, which is not to say that they had no concerns.

Various minor security improvements were requested, such as cameras in waiting rooms, a notice board that identifies clients who should be restricted to the secure interview room, glass in the door of each office, ongoing personal safety training for staff, and provisions for escorts to staff parking upon request.

Each office has a panic button connected to a central panel in the administration area that shows which office activated the alarm. Some offices connect the panel directly to the police, others to an alarm company, and in some offices, only to an internal alarm. There could be a consistent policy in this regard.

Each community corrections office has a safety plan that is updated yearly, but is not always read by probation officers. I reviewed several safety plans and found them to be adequate except in the case of a critical incident. While staff in correctional centres are more prepared for violence because it is more routine, probation officers are less prepared for a one-off act that jeopardizes safety. For example, safety plans direct probation officers to congregate at the scene of a disturbance. If an offender has a deadly weapon, they should really do the opposite. Staff could prepare for a worst-case scenario by conducting a periodic table-top exercise.

VICTIM NOTIFICATION

- 18. It is recommended that the Corrections Branch regularly review and update privacy training for their staff.*

Government workers routinely notify victims and the public if a perpetrator presents a safety risk. A number of staff I spoke with expressed some degree of frustration with their ability to advise victims about offenders in an unfettered manner. This feedback prompted BC Corrections to ensure the updated policies and legislative requirements were reflected in its training. Consistently updating policies and procedures in this regard will increase community safety.

PROGRAMMING

- 19. It is recommended that the Province enhance support for restorative justice programs throughout B.C., perhaps by drawing on the Victim Surcharge Special Account, the Civil Forfeiture Program, or funds obtained through the Criminal Asset Management Act.*

What programs should be offered to clients supervised in the community? I examined a number of programs shown to reduce recidivism to varying degrees. There are hundreds of them, and I observe that the element common to each program is an enhanced relationship with the client. People who may never have received positive attention before (“most of the guys were born into chaos,” said one chaplain) receive it through a program. This was confirmed to me by staff and stakeholders; reduction in violence and recidivism is assisted by building a relationship with the client. If this is true, there is no program ‘magic bullet’; we simply need to choose our suite of evidence-based programs and promote relationship wherever possible, and this in particular includes relationships with those on the outside, often volunteers, who can help inmates make a good transition. I received many positive comments about the programs offered by community corrections offices.

One preventive program offered in community that is not well-supported by government is restorative justice, a fact noted in 2012 in Geoffrey Cowper’s report, *A Criminal Justice System for the 21st Century*. Groups operate around the province in attempt to intercept low-risk offenders before they become enmeshed in the justice system, and reconcile them early to their victims. This is the only program that allows victims to confront and negotiate with those who harmed them. As such, the program is valuable for the healing of the trauma brought about by crime, as well as for sensitizing offenders to the consequences of their actions. In particular, restorative justice was supported by the Native Courtworker and Counselling Association of British Columbia. While the Province spends about \$70 million per year on programs for victims, restorative justice programs, province-wide, receive just \$150,000 annually.

WORK FOR CLIENTS SUPERVISED IN THE COMMUNITY

- 20.** *It is recommended that the Skilled Trades Employment Program (STEP) and the Ministry of Jobs, Tourism and Skills Training provide training to probation officers so that they might be fully aware of the ways they can help their clients become job-ready and find employment.*

It is difficult for a person who may have been under-employed for a long time to approach an employer. I met with the BC Construction Association (BCCA), which operates the Skilled Trades Employment Program (STEP), funded by the Province of B.C.

This unique program seeks to match employees with employers. They have representatives in 14 communities and are in touch with 4,000 employers in the construction industry. They know where the jobs are and have the capacity to connect workers to them. Their mandate is to serve Aboriginals, immigrants, women and the under-employed, and they have an Innovation Fund which can help to remove obstacles that often plague corrections clients, such as transportation to a job or the necessary work tools. BCCA and STEP officials were eager to help.

Offenders doing 'community time' are required to be in constant contact with their probation officers. If probation officers were to link with the STEP program, job-ready clients could be streamed to STEP officials and placed into jobs.

As another layer of support to find jobs for those involved in the correctional system, I met with officials of the Ministry of Jobs, Tourism and Skills Training. That ministry funds WorkBC, a network of 85 offices throughout the province which provides a variety of job preparation services, including assessment and training to potential employees, on a wider basis than the construction industry. It would be helpful if probation officers were aware of the panoply of services that the ministry provides, so they can better serve their clients.

Not all will find jobs in these ways because approximately one-third of offenders already have jobs and others are not job-ready. However, many — perhaps several thousand — could be placed through these very practical programs, if probation officers were made aware of them.



Transformational Change

So far I have offered recommendations for immediate change that are practical and fairly simple. They are incremental changes that offer incremental benefits. However, broader change over a longer period of time could result in more transformative results.

While a general discussion lies within my public safety mandate, out of respect for the independence of the judiciary, I am not making specific recommendations.

The Problem of the System: Recidivism

During my consultations, I heard constant anecdotes from everyone — staff, stakeholders and offenders alike, about the ‘revolving door’ of our correctional system. A female correctional officer related that, when she began her job, she became friendly with an inmate and shed a tear when the inmate was released, not realizing that she would soon return, over and over again.

Some staff deal with the same people in and out of custody for their entire careers. How can we quantify the revolving door, known as the rate of recidivism?

The published rates in the latest Service Plan of the Ministry of Justice say that 23% of offenders supervised in the community reoffend within two years. In custody, where offences are more serious, the rate is higher, with 51% reoffending within two years of being released. The ministry could improve reporting by adding more granular figures, such as general rates of recidivism over time, more specific rates of recidivism among the worst offenders, the average annual and lifetime number of sentences accumulated, recidivism rates by risk level, and the number of unique individuals who enter and leave the system in a given year.

BC Corrections provided information on all 18,926 people sentenced in 2012, looking at their involvement with the provincial justice system over the preceding decade:

- » 58% had received more than one sentence;
- » 22% had received five or more sentences;
- » 9% had received ten or more sentences;
- » 1% had received more than 20 sentences; and
- » Two people had received 65 and 64 sentences, respectively.

In a ten year period, almost two-thirds of those who enter our correctional system will return at least once, and a quarter will return at least five times. Bearing in mind that most offences constitute a threat to safety in some way, these figures are troubling.

I looked at the total number of sentences individual offenders received, only in the previous decade (not the accumulated record of a lifetime). By looking at the 'top ten' individuals between 2007 and 2013, we can see how quickly the worst gather sentences.

OFFENDER	10-YEAR TOTAL OF SENTENCES IN 2007	10-YEAR TOTAL OF SENTENCES IN 2013	NEW SENTENCES SINCE 2007	% INCREASE
A	59	67	8	14
B	58	63	5	9
C	14	50	36	257
D	20	49	29	145
E	13	45	32	246
F	18	45	27	150
G	17	44	27	159
H	9	42	33	367
I	21	42	21	100
J	28	42	14	50

Although many of these convictions are for breaching their order conditions, these individuals were left free to roam and commit new crimes while under sentence. Each new sentence still allowed the offender the freedom to reoffend and go through the entire process of charge, trial, and conviction, up to 36 times in seven years.

Looking at all offenders, the pattern is less dramatic. The average number of sentences incurred over the previous decade was 3.68 sentences per individual in 2007, and 3.88 sentences in 2013. Nevertheless, this is still a conviction every three years, and the number is moving in the wrong direction due to an increase in breaches. There has been a 5% increase since 2007.

Numbers like these could lead one to conclude that a sentence served in the community is not enough of a sanction. When I asked this question of probation officers, they all assured me that it is. In fact, they said, offenders supervised in community complain that they would prefer a brief sentence in custody rather than a much longer sentence in the community under the discipline of a strict set of conditions. In addition, a sentence in the community allows the offender to retain contact with family, working out issues in a real-life setting rather than within the artificial construct of a correctional centre.

Criminal behaviour is not the fault of BC Corrections, but the system clearly has a part to play. When a person can amass 67 sentences over a couple of decades, there is a systemic problem; we are not motivating people to stop reoffending. Indeed, it appears to be quite the opposite. Looking at the current age distribution of offenders in community, in which only 15% are under 25 while 33% are over 40 (in 2008, the figures were 21% [for under 25] and 28% [for over 40] respectively). Of that 33%, 11% are 50 and over. One could almost say that many 'age out' of the system rather than rehabilitate.

The Reason for Recidivism: Addictions

Why are our institutions a revolving door? The answer is simple. Crime in B.C. is driven in a large part by those with addictions to drugs and alcohol. I heard this, literally, from every corrections official and stakeholder I met. As one put it, "Drugs don't drive the system. They ARE the system." I was told over and over that almost all property crimes are committed by those seeking money to buy drugs. Much spousal violence results from alcohol abuse. Gangs thrive on the drug trade, with all of their attendant violence. Prolific offenders nearly always have addiction-related issues, and they can commit dozens of crimes in a single day.

This is buttressed by the figures. In 2012, Statistics Canada reported that 92% of those assessed in correctional facilities in five provinces needed assistance with substance abuse.³ BC Corrections analysts put together figures for offenders with more than ten convictions. They show that 45% of all sentences are for property crimes and another 28% are offences against the 'administration of justice,' such as failing to appear in court when required, or breaching conditions of probation. These kinds of figures are consistent with drug-induced behaviour.

Only 13% of crimes are committed against people. In a sense, this is good news. The crime problem in our society is less spurred by sinister malevolence than by people who are out of control — those whose will is in bondage to a chemical. Inmates told me that when people need to get a fix, they have no conscience, and will do literally anything to get drugs. Their rationality, and their conscience, only returns once they are clean.

This does not mean that they are not responsible for their actions. While most commit crimes in order to obtain drugs, I was told that some take drugs in advance of a crime, in order to bolster their courage and purposefully dull their conscience. A study by the Canadian Centre for Substance Abuse in April 2002 found that 54% of offenders in federal prisons were intoxicated when they committed their most serious crime.⁴

³ Calverley, Donna, *Adult correctional statistics in Canada, 2008/2009*, Juristat publication 85-002-X, Chart 9, Statistics Canada, Fall 2010.

⁴ Brochu, Serge, Cousineau, Marie-Marthe, Pernanen, Kai, *Proportions of crimes associated with alcohol and drugs in Canada*, Canadian Centre on Substance Abuse, April 2002, p. 6.

Governments of North America have fought a long and costly 'war on drugs,' because drug and alcohol abuse are very damaging to society. However, efforts have emphasized the interruption of *supply*, seeking out criminal networks and seizing drugs through police action. Governments could become more serious about the interdiction of *demand* through long-term treatment. This field presents a tremendous public policy opportunity.

The Response to Recidivism: Recovery-Based Treatment

Inmates and corrections staff alike told me that people with addictions are at their best in a correctional centre, and that many lives have been saved by freeing people from access to drugs while in custody. Because of the prevalence of drugs in the commission of crimes and the prevalence of addicts in a correctional centre, I observe that BC Corrections not only attempts to rehabilitate inmates, but also functions in practice as an involuntary drug treatment system.

What has brought this about? In my view, our society has become very tolerant of destructive behaviours caused by drugs and alcohol. These behaviours leave a long trail of victims who bear the brunt of crime initiated by addictive behaviours. People are free to be addicted in our society, but when they commit a crime fueled by drugs or alcohol, their addiction becomes a safety hazard that directly impacts their victims, and indirectly victimizes the entire community. Society has a strong interest in having these people enter a long-term treatment program that will help to defeat their addictions.

In this regard I wish to underscore the importance of recovery-based treatment. Although much is made of the evidence-based nature of harm reduction, the broadest view of the evidence points clearly to the fact that it is best for human health not to be addicted to anything, whether gambling or tobacco or the internet — or drugs and alcohol. Therefore, all public policy, including harm reduction, should be directed toward freedom from addictions to alcohol or drugs.

The proponents of harm reduction are well-intentioned, it is recognized that there is a small subset of people with drug or alcohol dependencies who have little hope of breaking free, and compassion requires us to try to help those who are addicted whether they quit or not. However, for the vast majority of addicts, the harm reduction philosophy sets the bar too low by accepting levels of addiction along with the criminal behaviour and the victimization that flows from it, by accepting sub-optimum health outcomes, by hampering progress toward a drug-free lifestyle, and by hindering the full development of human potential.

The freedom-versus-harm reduction debate is not an either-or proposition. Public policy is a matter of emphasis. While harm reduction is a tool in our toolbox that can be used to bring people to a place of recovery, the emphasis should be placed on human freedom.

To illustrate the issue, I would point out that the broad spectrum of harm reduction programs are enormously costly, which may result in a crowding-out of funding for long-term treatment. For example, methadone maintenance programs alone serviced 13,984 patients in B.C. at a cost of \$57 million, according to a 2011/2012 report of the Office of the Provincial Health Officer. For the cost of this program alone, every provincial offender with a drug or alcohol problem (roughly 14,500 people) could enjoy a year-long program of treatment within a decade.

Implementing Recovery-based Treatment

There were 15,998 inmates released in 2013, but an average daily count of 2,511, only 50% of whom are sentenced inmates, which shows that most inmates do not stay long in a correctional centre when sentenced.

The reality is, 87% of the correctional centre population spent 60 days or less in custody:

- » 9,101 in remand, with an average stay of 33 days;
- » 1,262 had a sentence spent between one and seven sentenced days;
- » 2,352 had a sentence between eight and 30 sentenced days;
- » 1,191 had a sentence between 31 and 60 sentenced days; and
- » 2,092 had sentences greater than 60 sentenced days.

Throughout my consultations, I was told that sentencing is part of the problem, not the solution, and that offenders look upon short custodial sentences as a 'cost of doing business' — a phrase reiterated by staff and inmates. Offenders driven by addictions commit crimes or breach the conditions of their sentences numerous times, but are given sentences that are far too short to make a difference in their lives.

Such sentences are often mocked by offenders, which discourages those involved with the justice system. A police officer said it is "almost comical" to arrest a person and have to re-arrest him the very same day. Another stakeholder told me that locking up someone for just a few days can actually destabilize offenders and raise the safety risk to society, because they can lose their job or their housing in the short time they are in a correctional centre.

A sentence adequate for the challenge of addiction-related problems would assist in raising the cost of doing business for offenders, in part as a measure of fairness to them. One 46-year old inmate told me that he had been in and out of a correctional centre 50 times since he was in high school, and I was told by stakeholders that many offenders, like this man, "do life on the installment plan" or "life by degrees." Surely the system is not serving society or this person well if it allows him to return again and again for short sentences without helping him to break free from his addiction.

The model of the Drug Treatment Court of Vancouver offers an alternative to sentencing. It tries to keep people with addictions out of the justice system altogether by offering long-term treatment as a condition of bail, moving forward with charges only if the offender chooses them, or repeatedly fails treatment.

I attended a session of the Vancouver Drug Treatment Court, which sits for just two days per week and deals with an average of 65 clients per year at a cost of about \$30,000 per client — one quarter of whom pass the treatment regime successfully. The judge mandates long-term treatment and follows up with participants in open court on a regular basis, either in-person or by phone, warning against failures as well as congratulating successes. In fact, this is similar to what probation officers do, but I was told that the gravitas of the court, and the prospect of charges, further help to keep clients on track.

There is no reason why any provincial court could not function in a similar 'problem solving' way, but without any extra expense. On a routine basis, judges could mandate long-term treatment on a case-by-case basis as a condition of bail or by sentence, and periodically follow up with individuals as they progress. This follow-up would augment the more regular contact of probation officers in the community.

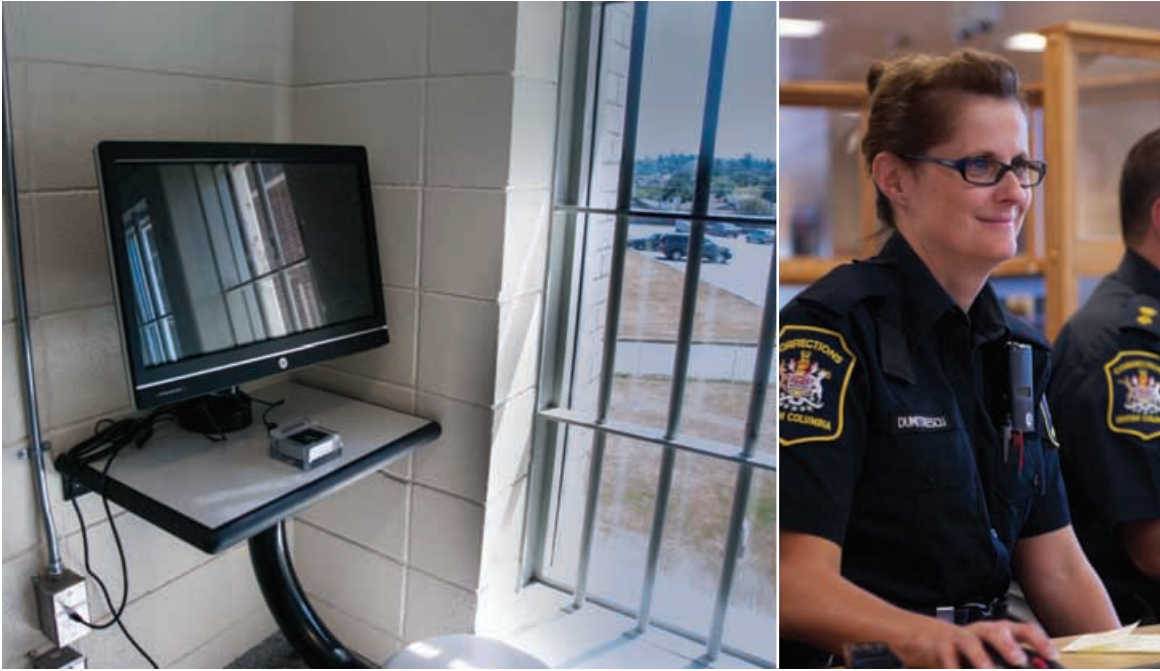
It is my hope that this brief discussion might inform future directional change. If our society rises to the challenge of releasing people from addictions, chronic offenders can move toward a productive, healthy, law-abiding lifestyle.



Conclusion

It was a great privilege to travel throughout the province, meeting hundreds of people who work with some of the most difficult populations in the country. I was deeply impressed by the quality of character of those engaged in this often thankless enterprise. They do their work on a shoestring, yet eagerly and passionately.

This report is a tribute to these and so many others who give unstintingly, day after day, on a paid or voluntary basis, to help those who have wronged others. It is my sincere hope that the recommendations contained in this report will assist in reducing safety risks to communities, to BC Corrections staff, and to those they supervise.



Report of Consultations

CORRECTIONAL INSTITUTIONS VISITED

Alouette Correctional Centre for Women
Ford Mountain Correctional Centre
Fraser Regional Correctional Centre
Kamloops Regional Correctional Centre
Nanaimo Correctional Centre
North Fraser Pretrial Centre
Prince George Regional Correctional Centre
Surrey Pretrial Services Centre
Vancouver Island Regional Correctional Centre

COMMUNITY CORRECTION OFFICES VISITED

Victoria, Nanaimo, Prince George, Kamloops, Chilliwack, Abbotsford, Langley, New Westminster, South Vancouver, Downtown Eastside, and North Vancouver.

Meetings were attended by approximately 75 probation officers and supervisors.

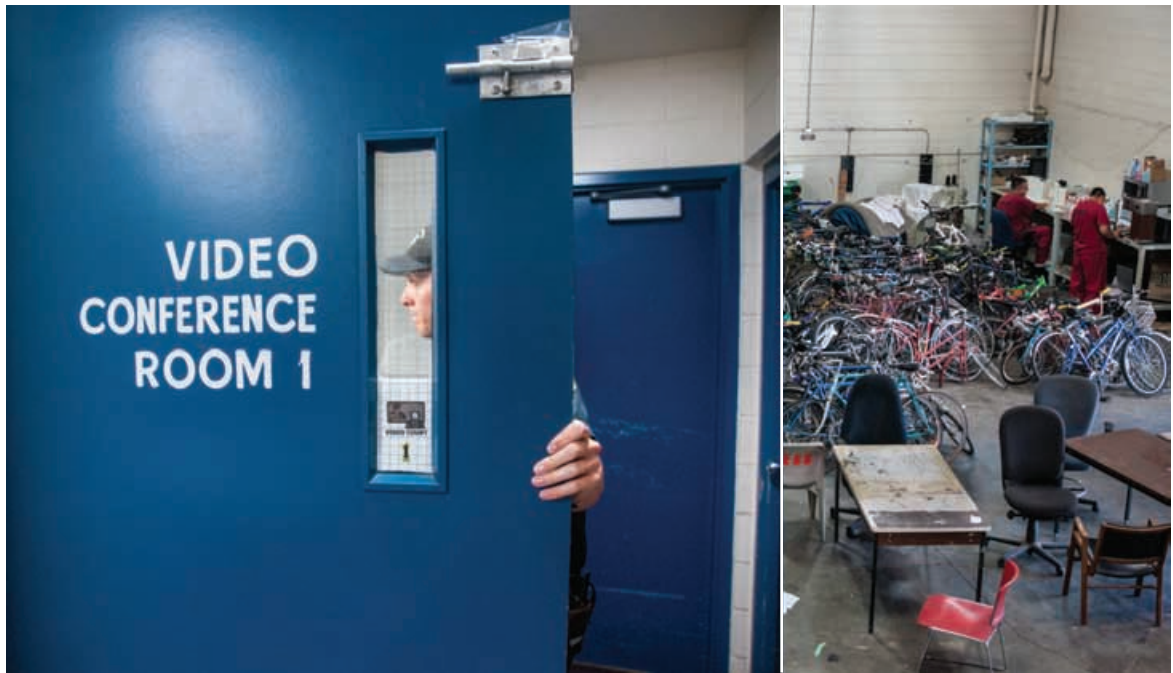
REGIONAL STAKEHOLDER MEETINGS HELD

Vancouver, Victoria, Nanaimo, Prince George, Kamloops, Maple Ridge, Surrey, Port Coquitlam, and Chilliwack.

STAKEHOLDERS CONSULTED

Adult Continuing Education, Kamloops
AIDS Vancouver Island
Alpha Canada
ARC Programs Ltd.
B.C. Borstal Association
BC Centre for Excellence in HIV/AIDS
BC Corrections Branch (various)
BC Government and Service Employees' Union (BCGEU)
BC Parks Thompson Grasslands Area, Supervisor
Blue Ribbon Panel on Crime Reduction (Darryl Plecas, Abbotsford South MLA and Parliamentary Secretary for Crime Reduction)
Boys and Girls Club Services of Greater Victoria
Burnaby Centre for Mental Health and Addictions
Cariboo Action Training Society
Chaplain, Provincial Corrections & Courts
Chaplain, Kamloops Regional Correctional Centre
Chaplain, Nanaimo Correctional Centre
Chaplain, Vancouver Island Regional Correctional Centre
Chilliwack Healthier Communities Forum
Chilliwack Learning Community Society
Chilliwack Police-based Victim Services
Chilliwack Restorative Justice
City of Coquitlam
City of Kamloops
City of Surrey
Community Advisory Board in each institution
Community Safety and Crime Prevention Branch (various contracted service providers)
Councillor, City of Chilliwack
Councillor, City of Prince George, Member, Standing Committee on Crime Prevention and Public Safety, Federation of Canadian Municipalities
District of Maple Ridge, Police-based Victim Service Program
Downtown Eastside Community Court
Dr. Peter Centre HIV/AIDS
Elizabeth Fry Society of Greater Vancouver
Elizabeth Fry Society, Prince George Community and District
Fraser Valley Brain Injury Association
Greater Victoria Police, Victim Services Society
GT Hiring Solutions
Health Care Manager, North Fraser Pretrial Centre
John Howard Society & Vancouver Island Therapeutic Community
John Howard Society Central & South Okanagan
John Howard Society of Kamloops
John Howard Society of North Island
John Howard Society of the Lower Mainland
John Howard Society of the Thompson Region
John Howard Society of Victoria

John Howard Society, Nanaimo Region
JP Rhodes / WJS Canada
Kamloops & District Elizabeth Fry Society
Kamloops Garden, Community Gardens Coordinator
Kamloops Sexual Assault Counselling Centre
Literacy in Kamloops, Literacy Outreach Coordinator
Maple Ridge - Pitt Meadows Community Services
Mayor of Kamloops
Mayor of Maple Ridge
Mayor of Nanaimo
Mayor of Port Coquitlam
Mental Health Coordinator, North Fraser Pretrial Centre
Ministry of Justice
Ministry of Social Development and Social Innovation (at each stakeholder meeting)
MPA Society
Nanaimo Community-based Victim Services
Nanaimo Correctional Centre
Nanaimo Police
Native Courtworker and Counselling Association of British Columbia
Non Profit Peace Tree Society
Okanagan Halfway House Society
Phoenix Transition Society, Prince George
PLEA Community Services Society of BC
Positive Living BC
Positive Living North
Prince George Activator Society
Prince George Friendship Centre, Aboriginal Victim Service Program
Prince George Police based Victim Services
Prisoners' Legal Services
QWI:QWELSTOM JUSTICE, Stó:lō Nation
RCMP at Green Timbers in Surrey
RCMP Victim Safety Unit (various)
Regional Manager, Emergency Coordination Unit
Relate Church, Surrey
Super Save Group, Langley
Surrey Community-based Victim Services
Surrey Victim Court Support Program
Tri City Transition House
TSOW - Tun Le Lum Society
UBCM Safety Committee
Vancouver Drug Treatment Court and Drug Treatment Centre
Vancouver Intensive Supervision Unit
Victoria Men's Trauma Centre
Victoria Transition House Society
Vancouver Island Regional Correctional Centre Outreach Co-ordinator, Literacy Victoria
Vision Quest
Westwood Church
WJ Stelmaschuk and Associates Ltd. dba WJS Canada



List of Recommendations

1. *It is recommended that classification officers receive ongoing training to more effectively manage the risk associated with inmates who share cells, that access to risk and safety-related information by BC Corrections staff be improved, and that access to information in CORNET by selected law enforcement personnel be enhanced to increase safety in custody and in the community.*
2. *It is recommended that ongoing structural safety improvements continue, and that personal temperament and verbal de-escalation skills be prioritized in the screening requirements for the hiring of officers and demonstrated through role-plays.*
3. *It is recommended that the capacity levels of inmate units and the opening and closing of those units be adjusted accordingly to mitigate safety issues.*
4. *It is recommended that inmates be warned and signs be placed that indicate that violence and the threat of violence will not be tolerated.*
5. *It is recommended that a second and subsequent aggressor be treated more severely than the first.*
6. *It is recommended that officials examine alternatives to methadone that are effective, but less marketable, addictions treatments in order to reduce drug contraband.*
7. *It is recommended that inmates with ten or more disciplinary hearings be subject to more intensive programming within provincial institutions.*
8. *It is recommended that BC Corrections establish a social enterprise corporation to seek out and execute self-sustaining subcontracts at commercial rates to provide more work opportunities within correctional centres.*

9. *It is recommended that BC Corrections explore certifiable trades training within correctional institutions with nearby learning institutions, including training in shorter-term certificates to equip more transitory inmates with job-ready skills, and that staff reach out to employers in a systematic way to help inmates find work.*
10. *It is recommended that BC Corrections institutions offer to host regular meetings on their premises or in some more convenient place, so that all community stakeholders can better coordinate their independent activities, including transition planning.*
11. *It is recommended that government collaborate more closely with NGOs to assemble transition plans for all those released for a year, in an attempt to reduce recidivism to the point where government resources are adequate to routinely offer transition plans to all.*
12. *It is recommended that staff regularly assist inmates, beginning upon admission, to prepare for release by helping to prepare documents that will help them live independently.*
13. *It is recommended that open custody serve as a transition to society for selected inmates by allowing daily work or study in the community followed by custody each night.*
14. *It is recommended that a 'Right Living Unit' be established in every provincial institution.*
15. *It is recommended that the ministries of Health and Justice collaborate to adopt the Vancouver Intensive Supervision Unit (VISU) model in selected urban communities for the treatment of non-violent clients with severe mental health needs.*
16. *It is recommended that the Ministry of Health explore potential options to better serve inmates with mental health issues and complex behaviours, either in the community or within correctional centres.*
17. *It is recommended that minor improvements be made to the security of community corrections offices.*
18. *It is recommended that the Corrections Branch regularly review and update privacy training for their staff.*
19. *It is recommended that the Province enhance support for restorative justice programs throughout B.C., perhaps by drawing on the Victim Surcharge Special Account, the Civil Forfeiture Program, or funds obtained through the Criminal Asset Management Act.*
20. *It is recommended that the Skilled Trades Employment Program (STEP) and the Ministry of Jobs, Tourism and Skills Training provide training to probation officers so that they might be fully aware of the ways they can help their clients become job-ready and find employment.*

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