

Canadian Corrections - A Briefing Paper

by Jim Murphy – CURE-NY

Canada with 31 million people is just over the border from New York, but in terms of criminal justice, the distances are vast. *(The quotes in italics come from Basic Facts About the Correctional Service of Canada on the CSC-SCC. gc. ca web site for their system 2003-2004.)*

First is the system itself.

- Canada has a national correctional system. Anyone with a sentence of two years or more is under the jurisdiction of the Correctional Service of Canada.(CSC) which also is "responsible for managing institutions of various security levels, supervising offenders under conditional release in the community and individuals who receive a court-imposed long-term supervision order."
- The 10 provinces and 3 other jurisdictions hold people awaiting disposition of their cases or on sentences of under two years. There is no counterpart to the NY City or County jails system.

Second is the philosophy of corrections

- The Correctional Service of Canada (CSC) focus is: "The greatest protection that can be offered to the community is to assist offenders, throughout the sentence, to change their criminal behaviour and to help them learn to live by the rules of society. This preparation includes programming to meet specific needs and providing opportunities to demonstrate progress through transfers to reduced security or conditional release, including temporary absences, work release, parole or statutory release "

Programming - When an offender is sentenced

- "Immediately after the court sentences an offender, ...he or she undergoes a comprehensive assessment to determine the factors that may have led to the criminal behaviour for which he or she has been sentenced. Based on this assessment, a correctional plan is developed with the offender.Offenders must take responsibility for their own behaviour and for changing that

behaviour. Specific needs are identified for each offender to address and are linked to the program or treatment that will assist the offender to adopt socially acceptable behaviour. This information is recorded in a document called the correctional plan. It is expected that the offender will work towards changing his or her criminal behaviour throughout the sentence. The offender's progress in meeting the requirements of the correctional plan is monitored continually and is a primary consideration in any decision related to the offender."

- Programming is designed for reintegration starting in the correctional institutions and continuing in the community.
- Lifeline is a unique program "which involves men and women serving a life sentence, but who are on parole and have been successfully living in society for at least five years. These individuals return to institutions as in-reach workers to help support, motivate and provide hope to those who are serving life sentences, and to help prepare them for release and successful reintegration in the community.



Jim Murphy

Number of CSC Facilities

"The CSC manages 54 penitentiaries of different security levels (including treatment centres and annexes within

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penitentiaries), 17 community correctional centres and 71 parole offices....

In addition to federally operated facilities, CSC partners with community-based, non-governmental organizations that run approximately 200 community-based residential facilities across the country. " In addition, there were 6,886 people on Parole or Statutory release in March 2004, for a total number of 19,299. **By Contrast - New York with under 20 million has about 64, 000 in prison, 45,000 on Parole from prison, 59,000 on felony probation and a number of others sentenced to Federal Institutions.**

TYPES OF RELEASE

Canada has adopted the principle of "gradual supervised return to society" with the aim of monitoring and supervising offenders as they return to society. There are 5 stages. The first two are for those still in correctional service custody.

- **Temporary release** can be either escorted or unescorted. It can be granted for medical, administrative, community service, family contact and personal development issues. Escorted temporary release can happen anytime. Unescorted temporary release may be granted only after an offender has served 1/6 of the sentence or 6 months whichever is greater. The CSC determines the release.
- **Work release** is also administered by CSC. It allows offenders from minimum and medium security to do paid or unpaid work under supervision as long as they don't pose an "undue risk".
- **Day Parole** allows offenders to participate in community based activities in preparation for their release on full parole or statutory release. Eligibility is 6 months prior to their full release date. First time non-violent offenders are eligible for day parole after serving 1/6 of their sentence. Those sentenced for first or second degree murder become eligible three years before they are eligible for full parole. The National Parole Board (NPB) grants Day

Parole. There were 1,054 on Day Parole in March 2004.

- **Full Parole** Normally, inmates are eligible to be considered for Full Parole by the NPB once they have served 1/3 of their sentence or seven years whichever is less. The time can be increased by a Judge for serious cases to 1/2 of their sentence. Those sentenced to Life for First degree murder must serve 25 years before being considered. Those sentenced to Life for Second degree murder can apply after serving between 10 and 25 years. There were 3,670 on Full Parole in March 2004.
- **Statutory** Most offenders serving a fix length sentence and who have not had their parole revoked are released after serving 2/3 of their sentence. Conditions may be added to those releases - such as release to a half way house. Those on life or indeterminate sentences are not eligible for statutory release. There were 2,162 Statutorily released in March 2004.

How Much does it cost ?

- CSC estimates an incarceration cost of \$151,000 for women; \$110,000 for males maximum security; \$72,000 in medium; and \$74,000 in minimum security.

Community Contracts

- The Canadian Federal system allows for fostering and supporting a nationwide common support network with integrated services and volunteer programs.
- CSC has 180 contracts with not-for-profits housing, 1,800 under community supervision and 700 contractual arrangements for a variety of services with 14 major not-for-profit organizations.

The biggest of the organizations with programs across Canada are: The John Howard Society, The Elizabeth Fry Society, St. Leonard's Society and the Mennonite Central Committee.

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RESTORATIVE JUSTICE

CSC has adopted a Restorative Justice approach with Victim-Offender Mediation and Circles of Support & Accountability for sex offenders.

THE CORRECTION PLAN

Before offenders leave prison on conditional release, they agree to a Correctional Plan.

The Correctional Plan is a document that outlines a risk management strategy for each offender. It specifies those interventions and monitoring techniques required to address areas associated with the risk to re-offend. The plan usually involves certain restrictions on movement and actions, as well as commitments to participate in constructive activities such as jobs and programs.

Since each offender has different needs and problems, each plan is different. The plan focuses on the specific issues in each offender's life and draws on a wide network of community support in addressing them.

The underlying assumption is that people usually turn to crime because of problems in their lives, such as lack of job skills, substance abuse and poor control of feelings. Experience shows that, with the right motivation and community support, most offenders can make positive changes. The results of the risk assessment, as well as the Case Management Strategy Group to which the offender belongs, will determine the nature of the interaction and an appropriate supervision strategy and will be embodied in the Correctional Plan.



Debbie Bozydaj

Canada's LifeLine

By Debbie Bozydaj

I became familiar with LifeLine about 2 years ago when Citizens for Restorative Justice received a Task Force Campaign Appeal from the Clinton Lifers and Long-Termers organization requesting support and guidance from legislators, organizations and communities to review the very successful and award winning Canadian LifeLine concept.

New York State Dept of Corrections does not provide programs to address the unique needs of incarcerated individuals serving life and long-term sentences, although New York State has the highest proportion of these persons than any other state, providing no guidance or direction to adjustment and coping skills for these incarcerated persons.

Little planning is made to involve these individuals in a sustained environment of learning and growth over the years. "Doing Time" is a part of a total life experience rather than an interruption in the offenders life. These men and women require special programs and services to encourage them to live a productive prison life.

The components of LifeLine involve lifers on parole who have successfully integrated back into their communities for at least 5 years assisting other lifers. It is a partnership between offenders, community agencies and correctional services sharing the same goals and committed to LifeLine.

The concept of LifeLine is that few people are as well equipped to understand what an offender with a life sentence is facing, other than another lifer. Correctional Service Canada recruits lifers on parole to work as in-reach workers to help other lifers. Their primary job being to keep lifers alive, sane and out of trouble. They must be lifers or long-termers who have re-entered their communities successfully, responsible and crime free for a minimum of 5 years. Then, returning to an institution where they help with programming for other lifers, they motivate them and help integrate them, contributing to public safety at the same time being accepted and recognized by Correctional Service Canada, the National Parole Board, other lifers and the community as a responsible role model.

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With family contact being an important part of their work, they maintain family connections and provide support and information to families throughout the inmates' incarceration.

They are an important resource for the community, meeting with community organizations, voluntary groups and others within the correctional community raising public awareness on the special needs of lifers, creating needed support from these communities. Therefore, ensuring a more receptive public environment when they are released on parole.

Their preventative work involves speaking with young people about how they became lifers, what it has meant to them and helping youth to avoid becoming involved in drugs or crime.

We know that lifers will re-enter a society that is far different from the one they left. They will have forgotten many skills required for independent living. LifeLine finds and develops resources they need for these new circumstances. The lifer mentor could encourage the incarcerated lifer in his or her preparation for release, including "what it's like out there" and rehabilitation programs available to them while assisting the released lifer by discussing problems as they arise.

Lifers bring a degree of stability to institutions with their interest in maintaining a peaceful environment and because of their experience of the correctional system, contribute to the initiation and implementation of programs.

The in-reach workers of LifeLine are an example that lifers, with help from supportive citizens and staff, can survive and succeed, proof that rehabilitation, reintegration and redemption work more than we realize.

To quote Ian Glen, chair of the National Parole Board, "LifeLine offers two very essential things to ensure a long-term offenders return to the community is safe and successful....Hope and Support.

We are here today to ask your support in developing a task force to study and adopt a LifeLine model for replication in New York State. To give hope and support through the groups represented here to these men and women who will re-enter our communities in the interest of public safety as law-abiding citizens.

Senator Velmanette Montgomery: Senator Montgomery encouragingly expressed her general support for the building of public awareness of the rehabilitation

and reentry objectives of the Coalition. She cautioned the groups to not be discouraged when Bills fail to move quickly. They serve a purpose, she said, to help make the general public aware of the issues and the potential for good.



There is a great need, moreover, for simple, easy to understand statements about our proposals. The general public is key to progress, and they need to be fed with crisp, incisive information.

Eddie Ellis: , President of the Center for NuLeadership, and widely recognized as a foremost leader in NYS criminal justice reforms, provided a historical and prophetic overview. He recounted the near heroic reform activities of many persons who had formerly been incarcerated in the NYS system. In addition, he outlined how the State has been moving, as indicated by the encouraging remarks of the speakers that day. In fact, the entire country is more aware, today, that rehabilitation and successful reentry are a better path to less crime and less expense.



Looking ahead, Eddie sees some challenges, as not all of our legislators are seeing these changes clearly. We need to help that clarity. But those that fail to respond to the changing times and a more progressive public attitude, will find themselves left behind and replaced with others having more vision.