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COMMISSIONER'S DIRECTIVE 710-6

In Effect: 2014-03-10
Last Review: 2014-03-10
Due for Review: 2016-03-01

Review of Inmate Security Classification

PROGRAM ALIGNMENT	Correctional Interventions
OFFICE(S) OF PRIMARY INTEREST	Correctional Operations and Programs Sector
ONLINE @	<ul style="list-style-type: none"> • http://infonet/cds/cds/710-6-cd-eng.pdf • http://infonet/cds/cds/710-6-cd-fra.pdf • http://www.csc-scc.gc.ca/text/plcy/cdshtm/710-6-cd-eng.shtml • http://www.csc-scc.gc.ca/text/plcy/cdshtm/710-6-cd-fra.shtml
AUTHORITIES	<ul style="list-style-type: none"> • Corrections and Conditional Release Act (CCRA), sections 3, 3.1, 4, 30, and 96(z.6) • Corrections and Conditional Release Regulations (CCRR), sections 4, 17 and 18
PURPOSE	<ul style="list-style-type: none"> • To ensure inmates are placed to an institution at the appropriate level of security throughout their sentence
APPLICATION	Applies to staff involved in the review of inmate security levels

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RESPONSIBILITIES AND PROCEDURES

1. The Assistant Commissioner, Correctional Operations and Programs, following consultation with the Deputy Commissioner for Women in cases of women inmates, and when supported by the Regional Deputy Commissioner, is the final decision maker:
 - a. for the reclassification to medium security of an inmate serving a life sentence for first or second degree murder, or an inmate convicted of a terrorism offence punishable by life, who is currently classified as maximum security, prior to the first security classification review
 - b. for the reclassification of a [Dangerous Offender](#) to minimum security.
2. The Regional Deputy Commissioner will:
 - a. forward a recommendation to the Assistant Commissioner, Correctional Operations and Programs, for final decision:
 - i. for the reclassification to medium security of an inmate serving a life sentence for first or second degree murder, or an inmate convicted of a terrorism offence punishable by life, who is currently classified as maximum security, prior to the first security classification review
 - ii. for the reclassification of a Dangerous Offender to minimum security
 - b. be the final decision maker if he/she disagrees with the Institutional Head's recommendation to reclassify:
 - i. to medium security an inmate serving a life sentence for first or second degree murder, or an inmate convicted of a terrorism offence punishable by life, who is currently classified as maximum security, prior to the first security classification review
 - ii. a Dangerous Offender to minimum security.
3. The Institutional Head:
 - a. will authorize an inmate's security reclassification, which can be delegated to:
 - i. the Deputy Warden, except for cases where the security reclassification involves a transfer decision, an inmate serving a life sentence for first or second degree murder, an inmate convicted of a terrorism offence punishable by life, or a Dangerous Offender, or
 - ii. the Assistant Warden, Interventions, when the recommendation is to maintain the same security classification level
 - b. will forward the recommendation to the Regional Deputy Commissioner for decision for:
 - i. the reclassification to medium security of an inmate serving a life sentence for first or second degree murder, or an inmate convicted of a terrorism offence punishable by life, who is

currently classified as maximum security, prior to the first security classification review

- ii. the reclassification to minimum security of a Dangerous Offender
- c. will be the final decision maker if he/she disagrees with the Case Management Team in the following cases:
 - i. for the reclassification to medium security of an inmate serving a life sentence for first or second degree murder, or an inmate convicted of a terrorism offence punishable by life, who is currently classified as maximum security, prior to the first security classification review
 - ii. for the reclassification to minimum security of a Dangerous Offender.
4. The decision maker must provide specific ratings for institutional adjustment, escape risk and public safety in every final decision on the inmate's security level. If the decision maker does not concur with the recommended ratings in the Assessment for Decision, a rationale must be provided for the divergence from the recommendation.
5. The decision maker will provide the inmate with the rationale as well as the information considered in the decision, in writing, within five working days following the review. The inmate will be advised, at the same time, of the right to seek redress using the grievance process pursuant to [CD 081 – Offender Complaints and Grievances](#).
6. The Parole Officer/Primary Worker will complete all Security Classification Reviews and Reassessments.

Security Classification Review Timeframes

7. A Security Classification Review ([Security Reclassification Scale/Security Reclassification Scale for Women](#) and Assessment for Decision) will be completed at least once every two years for inmates classified at maximum or medium security level.
8. A review of an inmate's security classification will be completed prior to making a recommendation for any decision (e.g. transfer, temporary absence, work release or parole).

Security Reclassification Scale and Security Reclassification Scale for Women

9. When conducting the inmate security level review, the Security Reclassification Scale/Security Reclassification Scale for Women will be administered and the results will be incorporated into the final assessment.
10. The inmate security classification will take into consideration the factors as required by [section 17](#) of the CCRR, including consideration of the Aboriginal social history, if applicable.
11. The final assessment will address [section 18](#) of the CCRR, by setting out the analysis under the three headings of institutional adjustment, escape risk and risk to public safety.

12. A psychological assessment is required for:

- a. Dangerous Offenders when consideration is being given to minimum security reclassification
- b. inmates serving a life sentence for first or second degree murder or convicted of a terrorism offence punishable by life who are in a maximum security facility when consideration is being given to medium security reclassification.

ENQUIRIES

13. Strategic Policy Division

National Headquarters

Email: Gen-NHQPolicy-Politi@csc-scc.gc.ca

Commissioner,

Original Signed by:
Don Head

ANNEX A

CROSS-REFERENCES AND DEFINITIONS

CROSS-REFERENCES

[CD 081 – Offender Complaints and Grievances](#)

[CD 701 – Information Sharing](#)

[CD 705-7 – Security Classification and Penitentiary Placement](#)

[CD 706 – Classification of Institutions](#)

[CD 710 – Institutional Supervision Framework](#)

[CD 710-2 – Transfer of Inmates](#)

[SRS Functional Specifications version 4.0.3 for CSC Staff](#)

[SRS Functional Specifications version 4.0.3 for Inmates and the Public](#)

DEFINITIONS

Dangerous offender: an offender who is subject to a designation by the court pursuant to [section 753](#) of the *Criminal Code*.

Security Reclassification Scale/Security Reclassification Scale for Women: a research-based tool used to assist in the assessment of the most appropriate level of security for an inmate.

ANNEX B

ASSESSMENT FOR DECISION FOR A SECURITY RECLASSIFICATION – REPORT OUTLINE

INTRODUCTORY STATEMENT/CASE STATUS

- i. Provide a brief statement of the purpose of the report
- ii. Indicate the length of sentence, current offence(s), outstanding charges or appeals, immigration/deportation/extradition status.

SECURITY CLASSIFICATION ACTUARIAL RESULTS

Identify when the Security Reclassification Scale or Security Reclassification Scale for Women was completed, the score and overall level of security indicated by the Scale.

INSTITUTIONAL ADJUSTMENT

Consider the following to assess institutional adjustment rating and update any relevant information since the completion of the most recent inmate security level review:

- √ length of the inmate's sentence and its impact on the inmate's institutional adjustment
- √ violent institutional incidents – use of weapons, role in the incidents, harm caused (including those during provincial incarceration and previous federal sentences)
- √ review the inmate's disciplinary information – during intake, federal and provincial custody. Identify if there have been any previous minor or serious disciplinary offences, the nature of the offences, if there is a pattern
- √ periods of segregation – disciplinary, voluntary and involuntary
- √ include comments on the inmate's behaviour from unit staff
- √ review the Security Intelligence file, record date of review and consultation with the Security Intelligence Officer. Indicate whether the inmate has any affiliations with criminal organizations/gangs, or continues to be involved in criminal activities while in custody. Identify the existence of incompatibles or co-convicted inmates and the impact on institutional adjustment
- √ identify whether any administrative intervention has been required in this case, such as transfers, segregation, etc.
- √ comment on the inmate's level of motivation/engagement to participate in his/her Correctional Plan
- √ identify whether the inmate displays special needs or socio-cultural factors indicating a requirement for special intervention on an ongoing basis (Aboriginal inmate, woman inmate, etc.)
- √ identify whether the inmate has a history of mental health issues, suicidal ideation, self-injury
- √ current emotional stability and whether this will impact on the inmate's institutional adjustment.

Institutional Adjustment Rating

Based on the individual adjustment factors and any other relevant considerations, assign a rating of

either low, moderate or high:

Low – The inmate has demonstrated:

- a. a pattern of satisfactory institutional adjustment; no special management intervention is required
- b. the ability and motivation to interact effectively and responsibly with others, individually and in groups, with little or no supervision
- c. motivation towards self-improvement by actively participating in a Correctional Plan designed to meet his/her dynamic factors, particularly those relating to facilitating his/her reintegration into the community.

Moderate – The inmate has demonstrated:

- a. some difficulties causing moderate institutional adjustment problems and requiring some management intervention
- b. the potential to interact effectively with others, individually and in moderately structured groups, but needs regular and often direct supervision
- c. an interest and active participation in a Correctional Plan designed to meet his/her dynamic factors, particularly those which would lead to a transfer to a less structured environment and ultimately, to his/her reintegration into the community.

High – The inmate has demonstrated:

- a. frequent or major difficulties causing serious institutional adjustment problems and requiring significant/constant management intervention
- b. a requirement for a highly structured environment in which individual or group interaction is subject to constant and direct supervision
- c. an uncooperative attitude toward institutional programs and staff and presents a potentially serious management problem within an institution.

ESCAPE RISK

Consider the following to assess the escape risk rating and update any relevant information since the completion of the most recent inmate security level review:

- √ identify if the inmate is a Canadian citizen
- √ identify history/convictions for escape, attempt escape, being unlawfully at large, breaches – consider seriousness and recency
- √ use of violence or threatened violence in any escapes or attempted escapes
- √ comment on whether there was a period of bail and whether the conditions of the bail were respected
- √ identify if there are any outstanding charges or appeals, including those related to immigration/deportation issues that may impact the inmate's risk of escape
- √ identify if length of sentence may have an impact on the inmate's risk of escape, and time to be served before eligibility for unescorted temporary absence
- √ comment on any previous periods on parole or statutory release, whether the inmate has participated in any successful escorted temporary absences, unescorted temporary absences or work releases
- √ other concerns – unusual circumstances having the potential to increase the escape risk (i.e., current emotional instability, custody battle, problems with significant other,

gambling/drug debts, etc.).

Escape Risk Rating

Based on the preceding escape risk factors and any other relevant considerations, assign a rating of either low, moderate or high:

Low – The inmate:

- a. has no recent serious escape and there are no current indicators of escape potential
- b. has no significant history of breaches.

Moderate – The inmate:

- a. has a recent history of escape and/or attempted escapes OR there are current indicator(s) of escape potential
- b. is unlikely to make active efforts to escape but may do so if the opportunity presents itself
- c. presents a definite potential to escape from an institution that has no enclosure.

High – The inmate:

- a. has demonstrated a pattern of escapes and/or attempted escapes OR there are current indicator(s) of significant potential to escape OR could threaten the security of the institution in order to facilitate their escape.

PUBLIC SAFETY RISK

Provide an analysis of the inmate's public safety risk and update any relevant information since the completion of the most recent inmate security level review:

- √ history of any known violence, include violent community incidents – consider the seriousness and recency
- √ Dangerous Offender designation under the *Criminal Code*
- √ the inmate's social, criminal and, where applicable and available, youth offender history
- √ nature and gravity of current and number of previous offences — whether weapons were involved and whether serious harm occurred to the victim
- √ evidence of family violence
- √ level of dynamic factors or areas of need identified in the Correctional Plan
- √ Correctional Plan motivation/engagement and progress accomplished
- √ past releases performance and past escorted temporary absence, unescorted temporary absence or work release performance
- √ psychological concerns based on the results of psychological or psychiatric assessments or other information, including the existence of mental health concerns/disorders
- √ emotional stability/instability, self-injury and suicide history
- √ detention referral or whether the inmate is being considered as a potential candidate for detention
- √ alcohol and drug use and the drug and alcohol rating
- √ affiliations with criminal organizations/gangs
- √ affiliation with a terrorist organization or radicalized group

- √ whether the inmate meets the criteria of being a high profile offender (will only have an impact if, in light of the other factors, there is a clear connection with public safety)
- √ notoriety likely to invoke a negative reaction from the public, victim(s) or police and/or to receive significant media coverage (sensational crime, major sexual or drug offence, terrorism, affiliation with organized crime, etc.). Note: In order for notoriety to be a relevant factor, it must be demonstrated that it will have an impact on an inmate's reintegration potential by increasing the risk to re-offend, or the likelihood that he/she could pose a threat to the safety of any person or the security of a penitentiary
- √ public safety risk in the event the inmate would escape.

Public Safety Rating

Based on the public safety factors and any other relevant considerations, assign a rating of either low, moderate or high:

Low – The inmate's:

- a. criminal history does not involve violence
- b. criminal history involves violence/sexually-related offence(s), but the inmate has demonstrated significant progress in addressing the dynamic factors which contributed to the criminal behaviour and there are no signs of the high risk situations/offence precursors identified as part of the offence cycle (where it is known)
- c. criminal history involves violence, but the circumstances of the offence are such that the likelihood of reoffending violently is assessed as improbable.

Moderate – The inmate's:

- a. criminal history involves violence, but the inmate has demonstrated some progress in addressing those dynamic factors which contributed to the violent behaviour
- b. criminal history involves violence but the inmate has demonstrated a willingness to address the dynamic factors which contributed to the violent behaviour
- c. there are current indicator(s) of moderate risk/concern.

High – The inmate's:

- a. criminal history involves violence and the inmate has not demonstrated sufficient progress in addressing those dynamic factors which contributed to the violent behaviour or a willingness to attempt to address such factors
- b. criminal history involves violence and the inmate has not demonstrated a willingness to address the dynamic factors which contributed to the violent behaviour
- c. there are current indicators of high risk/concern.

OVERALL ASSESSMENT

- √ Provide a short summary of the factors and consider recent professional opinions such as health care, mental health, psychological information, police comments and/or previous CSC decisions (if applicable) in the plan for managing the inmate at the proposed security level
- √ Consider previous PBC decision (nature and purpose, all relevant comments, specific reference to relevant issues noted in the decision, including demonstrating how concerns/issues previously

raised have/have not been addressed)

- √ Indicate the existence of co-convicted and/or incompatible inmates
- √ Comment on discussions during case conferences, when it occurred and who was present, identify the Case Management Team's recommendations and how the recommendations meet the needs of the inmate while ensuring the safety of the public
- √ Consider elements of Aboriginal social history (if applicable)
- √ Consider victim(s) concerns.

DISSENTING OPINION

RECOMMENDATION