

**Research Report**

**Releases of Men Offenders**

**Classified as Medium and**

**Maximum Security**

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**Releases of Men Offenders Classified as Medium and Maximum Security**

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## Executive Summary

**Key words:** *re-offence, parole, security classification, Office of the Auditor General.*

In recent years, the percentage of men offenders released at their statutory release dates has been increasing, and many of these releases occur from medium and maximum security institutions. This study was undertaken to follow up on these patterns both by examining the risks associated with release directly from medium- and maximum-security institutions and by exploring the factors that may be associated with not being granted parole and/or with not cascading, or transferring, to a minimum-security institution prior to release.

Analyses included all 4,455 male offenders released on day or full parole or on statutory release in fiscal year 2013-14. Of these, most were classified as minimum (45%) or medium (49%) security at release. Analyses focused on comparing the groups of offenders using administrative data. In addition, thematic analyses were used to analyze data in narrative security review and parole recommendation assessments.

Offenders released from higher levels of security had higher rates of suspensions, revocations, and re-offences in the year following release. These differences remained present when analyses were limited to only statutorily-released offenders, and relative differences remained very similar regardless of the special conditions imposed at release (e.g., residency condition). In other words, results aligned with previous findings that offenders released from higher levels of security were more likely to return to custody, even after accounting for certain offender differences.

The second series of analyses focused on identifying possible factors associated with offenders not cascading to lower levels of security prior to release, and/or being released on statutory release rather than on day or full parole. Offenders statutorily-released from different security levels differed importantly even at intake, suggesting that many differences were present prior to their periods of incarceration rather than developed while in custody. Offenders classified as medium or maximum security at release and those who were statutorily released were consistently higher risk, less engaged in their correctional plan, less motivated and less accountable. They also had more institutional misbehaviour and lacked insight or responsibility regarding their offences.

Perhaps more interesting, however, were findings relating to opportunities. Over a third (38%) of offenders statutorily-released while classified as medium or maximum security did not undergo a security classification review (e.g., due to the short length of their sentence, or to avoid a negative outcome) – in other words, they did not have or take the chance to be reclassified to a lower level of security. Moreover, a considerable number of offenders classified as medium and maximum security waived or withdrew their opportunities to be considered for discretionary release (i.e., day or full parole). Overall, these findings suggest that it is not only characteristics of offenders that are contributing to these release patterns but also opportunities missed or not taken. As such, it may be fruitful to develop action plans that facilitate offenders transferring to minimum security prior to their release.





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## **Introduction**

According to the recent Corrections and Conditional Release Statistical Overview (Public Safety, 2015), the proportion of men offenders released at their statutory release dates (i.e., not granted parole earlier in their sentences) has been growing. In addition, other reports show that the majority of men released on statutory release were released directly from medium- and maximum-security penitentiaries (Office of the Auditor General, 2015). The Office of the Auditor General noted concerns with this finding, in particular because offenders released at their statutory release date do not benefit from as comprehensive of a gradual release and reintegration process as do their counterparts granted discretionary release (i.e., day or full parole) earlier in their sentence. This study was undertaken to follow up on these findings both by examining the risks associated with release directly from medium- and maximum-security institutions and by exploring the factors that may be associated with not being granted parole and with not cascading (i.e., transferring) to a minimum-security institution prior to release.

### **Parole and Statutory Release**

In Canada, the Parole Board of Canada (PBC) has the exclusive authority to grant day and full parole (CSC, 2014c). With some exceptions, offenders become eligible to be considered for full parole after serving one-third of their sentence or seven years, and for day parole (which includes a requirement to report to a specific location over night) six months earlier. Unless there are reasonable grounds to detain an offender (e.g., serious threat to public safety), all offenders are statutorily released to serve the final third of their sentences in the community (CSC, 2014c).

Rates of re-offence are higher for statutorily-released offenders than for those released on day or full parole (Public Safety, 2015). However, it seems likely that the very factors that are considered by the PBC in deciding against granting parole (e.g., extensive criminal record, problematic substance use, or pro-criminal acquaintances) also contribute to the offenders' re-offending. In other words, many of the factors contributing to denying a parole application and to re-offending are similar. On the other hand, given clear evidence that a period of structured community supervision contributes to successful offender reintegration (Hann, Harman, & Pease, 1991; Motiuk, Boe, & Nafekh, 2002; Motiuk, Cousineau, & Gileno, 2005; Waller, 1974),

it also seems plausible that shorter periods of community supervision (such as those associated with later releases) result in offenders' receiving less of the benefits associated with gradual release. That said, offenders who are denied parole may have additional opportunities to benefit from correctional programs and other supports that are available in the institutional setting and this may serve to facilitate their success upon release.

Overall, the relative role of each of these explanations – that is, of the same factors driving both discretionary release and post-release outcome and of later releases resulting in shorter periods of support in the community – is unclear. Some research, however, has accumulated on the topic. Ireland and Prause (2005) found that American federal offenders who were released on discretionary release were significantly more likely to successfully complete their sentences than were those released on mandatory release, even after controlling for type of offences, prior time served, age, ethnicity, education, and gender. Similarly, Solomon, Kachnowski, and Bhati (2005) found that American offenders released on discretionary release were significantly less likely to reoffend within two years of release as compared to offenders release on mandatory supervision or those released with no supervision (i.e., offenders incarcerated until the end of their sentence). Once other variables were controlled for, however, the difference was quite modest, with 57% of those discretionarily released and 61% of those in the other two groups re-offending. While it seems that discretionary release is associated with small differences even after accounting for confounding variables, these two studies were American and the extent to which they apply to the Canadian context is unknown.

### **Security Classification**

Federal offenders under the responsibility of CSC receive a security classification as part of the admission process. This offender security classification is determined by both the application of a valid and reliable actuarial assessment and a professional review focused on factors identified in legislation: institutional adjustment, escape risk, and public safety risk (CSC, 2014b). Offender security classifications are reviewed at least once every two years for offenders classified at maximum or medium security level, prior to making a recommendation for any decision (e.g., transfer, temporary absence, work release or parole), or as required based on a change in an offender's behaviour.<sup>1</sup> The review process is similar to that used in

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<sup>1</sup> Offenders classified to minimum security have only event-based security reviews rather than bi-annual reviews.

determining the initial offender security (i.e., the Custody Rating Scale) classification, however the actuarial measure used in this case, the Security Reclassification Scale, is specific to the review context.

“Cascading” (i.e., transferring down) offenders to lower levels of security before release is a component of CSC’s case management strategy intended to improve offenders’ community reintegration. The argument supporting the practice of cascading is that it prepares offenders for release under conditions that more closely approximate those they will encounter in the community and reduces the impact of institutionalisation associated with living in a more restrictive higher security facility. Allowing lower risk offenders to spend more of their sentence in lower security facilities may also reduce any possible criminogenic effect of their prolonged association with higher risk offenders who are more often placed in higher security institutions. On the other hand, a strategy that releases offenders from medium- or maximum-security institutions and foregoes a graduated release has as its focus the management of serious misconducts and other institutional behaviours as well as the risk of escapes.

Some researchers have examined whether being released from a higher security level is associated with higher rates of re-offence. For instance, Chen and Shapiro (2007) examined the impact of release from higher security on federal offenders in the US. They demonstrated that, among offenders with the same security classification scores, assignment to a higher security level was associated with higher post-release recidivism. The researchers interpreted their results as suggesting that harsher institutional conditions actually lead to more post-release crime. These researchers did not, however, explore why offenders with the same scores were not consistently placed at the same security level – it is possible that the reasons for this difference were also the reasons for the differences in post-release outcome. Another study, however, suggests that this is not the case. Gaes and Camp (2009) examined the post-release outcomes of offenders who had the same security classification ratings but were *randomly* assigned to lower- and higher-security facilities. They found that those assigned to the higher security level had a hazard rate of returning to custody 31% higher than that of their counterparts. Moreover, given there was no difference in the two groups’ institutional misconduct, this did not appear to be attributable to pre-release behavioural differences. Gaes and Camp (2009) concluded that placement in higher security was not a deterrent to crime on release and interpreted the results as supporting peer influence and environmental strain theories, whereby social structures contribute

to the commission of crime. Again, the applicability of these findings to the Canadian context is unknown. Jurisdictional differences may in fact be even more important with respect to security classification given that the institutional regime in American institutions tends to be much more restrictive than that in Canada.

### **Current Study**

The current study was undertaken to contextualize recent increases in statutory releases occurring predominantly from medium- and maximum-security institutions (Office of the Auditor General, 2015; Public Safety, 2015). The study had two goals. The first was to conduct a more detailed examination of the post-release outcomes of men offenders released from medium and maximum security institutions, particularly those on statutory release. The second was to examine factors potentially associated with not being granted parole and/or with not cascading to a minimum-security institution prior to release.



## Method

### Sample

Analyses included all men federal offenders whose first release on their sentence occurred in fiscal year 2013-14, excluding those released at the end of their sentence or to a long term supervision order. In total, 4,455 offenders released on day or full parole or at statutory release (at the two-thirds point of a determinate sentence) were included. Of these, most were classified as minimum (45%) or medium (49%) security.

Table 1 presents offenders' characteristics according to their security classification at release. As can be seen, there were a number of differences between these groups, with, for example, offenders released from minimum security being less likely: to be Aboriginal; to be convicted of robbery, assault, and other violent offences; to be higher risk; and, to receive a statutory release. Offenders classified as minimum security also tended to be younger at release ( $M = 31.2$ ;  $SD = 9.1$ ) than their counterparts classified as medium ( $M = 35.2$ ;  $SD = 10.9$ ) or maximum ( $M = 40.1$ ;  $SD = 13.0$ ) security.

Table 1.

*Description of Sample*

Characteristic	Offender Security Classification at Release (%)		
	Minimum ( <i>N</i> = 1,990)	Medium ( <i>N</i> = 2,177)	Maximum ( <i>N</i> = 288)
Aboriginal	17%	26%	25%
Most Serious Offence <sup>a</sup>			
Homicide	6%	4%	2%
Robbery	8%	19%	28%
Assault	6%	16%	20%
Sexual	17%	12%	3%
Other violent	5%	8%	10%
Property	12%	14%	13%
Drug	33%	17%	10%
Other non-violent	12%	8%	10%
Sentence Length <sup>b</sup>			
Less than 3 years	50%	53%	40%
3 – less than 6 years	40%	40%	46%
6 – less than 10 years	8%	6%	12%
10 years or more	2%	1%	2%
Static Risk (at Intake)			
Low	28%	6%	3%
Medium	44%	39%	25%
High	28%	54%	72%
Release Type			
Discretionary release	68%	19%	1%
Statutory release	32%	81%	99%

<sup>a</sup>Offence data missing for 3 offenders. <sup>b</sup>Offenders serving indeterminate sentences were omitted (50 offenders released from minimum security and 5 released from medium security).

**Data**

Data were extracted from the Offender Management System, CSC's automated information organization tool that allows for the computerized recording of relevant information from the offender's admission until the end of his sentence. Specifically, for the first research question, information was obtained regarding the offender's security classification at release, the release type, whether a condition was imposed, and post-release outcome. For this latter variable, post-release outcome, offenders were followed for one year or until the end of their

sentence, whichever came first. Any suspensions or revocations of conditional release (with or without offence) were recorded.

With respect to the second research question, the extracted data were focused on offenders' motivation, engagement, accountability, risk, need, and reintegration potential ratings; their ratings in seven broad areas of criminogenic need as assessed by the Dynamic Factor Identification and Assessment – Revised (CSC, 2014a); and, their institutional behaviour (offences and segregation placements). In addition, data were obtained with respect to security classifications and reviews, parole hearings occurring or scheduled to occur prior to release, and participation in correctional programs.

In addition, a small number of offenders' files were verified in greater detail. These verifications focused on the Assessments for Decisions corresponding to offenders' security classification reviews, as well as documents pertaining to parole recommendations. In total, examinations specific to security reviews were undertaken for 30 randomly-selected offenders classified as medium and maximum security, whereas those specific to parole recommendations and decisions were reviewed for 20 offenders.

## **Analyses**

Group comparisons involved the calculation of simple descriptive statistics. Specifically, the distributions of post-release outcomes of offenders classified as minimum, medium, and maximum security were computed and compared.<sup>2</sup> Because analyses included all offenders released in the year, inferential statistics (i.e., tests of statistical significance) were not necessary.

Thematic analysis was used to analyze data in narrative security review and parole recommendation assessments. Thematic analysis is a process of encoding qualitative information into categories based on the themes found during review and comparison of the data (Boyatzis, 1998).

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<sup>2</sup> Unfortunately, analyses including statistical matching of offenders (which would have controlled for confounds) were not possible for methodological reasons.

## Results

### Post-Release Outcomes by Security Classification

As previously mentioned, offenders classified as medium or maximum security at the time of release were more frequently released at their legislatively mandated statutory release date (rather than on day or full parole) than were their counterparts classified as minimum security. As such, comparisons of post-release outcomes based solely on offender security classification could be confounded by the differential distribution of release types. To account for this, comparisons of the post-release outcomes across various security levels were conducted both across release types and, additionally, for only statutorily-released offenders (see Table 2).<sup>3</sup>

Table 2.

*Post-Release Outcomes by Security Classification at Release*

Post-Release Outcome	Offender Security Classification at Release (%)		
	Minimum	Medium	Maximum
All Offenders			
<i>N</i>	1,990	2,177	288
Suspension	23%	55%	72%
Revocation without offence	18%	37%	56%
Revocation with offence	2%	6%	9%
Statutorily-Released Offenders			
<i>N</i>	643	1,762	286
Suspension	41%	61%	71%
Revocation without offence	26%	40%	55%
Revocation with offence	4%	7%	9%

*Note.* Offenders can appear in multiple rows.

Offenders with higher security classifications at the time of release were more likely to have negative post-release outcomes, with this being true across all outcomes used. The difference by security classification remained present when restricted analyses to only statutorily-released offenders, though it was somewhat muted – as would be expected given these analyses eliminate the portion of the difference attributable to release type. In interpreting these results, however, it is important to recognize that a suspension of conditional release does not

<sup>3</sup> The same analyses could not be replicated for only offenders granted discretionary release given that only two offenders classified as maximum security were granted a discretionary release.

necessarily comprise a community failure – in many cases, suspensions do not result in revocations.

Also of interest was whether results were the same when offenders were imposed a residency condition – that is, a requirement to reside at a specific place imposed by the Parole Board of Canada because it is viewed as necessary to prevent the offender from presenting an undue risk to society by committing a Schedule I offence prior to their sentence's expiry. Again, these analyses focused on statutorily-released offenders. In fact, the pattern of post-release outcomes for statutorily-released offenders who were imposed residency conditions at release was similar to that of the full population of offenders (see Appendix A). The same was also true of statutorily-released offenders who were imposed alcohol- and drug-related conditions, avoid certain/specific people conditions, follow treatment or program conditions, and other special conditions.

### **Factors Linked to Being Statutorily-Released from Medium and Maximum Security**

The next series of analyses were intended to explore the reasons potentially contributing to offenders not cascading to minimum security and/or not being granted discretionary release. Given the previously-mentioned confounding effect of failing to consider that the distribution of release types is strongly associated with security level, these analyses also focused only on statutorily-released offenders.

**Overview.** First, to contextualize these analyses, characteristics of statutorily-released offenders were examined by security classification at release. By and large, the offenders' offence and sentence length details were very similar as those found for the full sample of offenders, with the exception that when only statutorily-release offenders are considered, a larger proportion of those classified as minimum security were convicted of violent offences (65% vs. 43%), and fewer were convicted of drug offences (19% vs. 33%).

Offenders' intake assessment results also differed by security classification at release (see Table 3), with those classified at minimum much less likely to be assessed as high static or dynamic risk, as presenting low reintegration potential and as having low levels of accountability. Minimum security offenders also presented lower levels of dynamic need, especially with respect to employment, community functioning, and associates, and, to a lesser extent, to attitudes and substance use. In other words, offenders statutorily released from different levels of security also differed considerably and consistently at intake.



Table 3.

*Intake Assessment Results by Security Classification at Release (Statutorily-Released Offenders)*

Intake Assessments	Offender Security Classification at Release (%)		
	Minimum (N = 643)	Medium (N = 1,762)	Maximum (N = 286)
Static Risk			
Low	12%	5%	4%
Medium	42%	35%	25%
High	46%	60%	71%
Dynamic Risk			
Low	7%	1%	0%
Medium	40%	25%	15%
High	53%	74%	85%
Reintegration Potential			
Low	23%	47%	70%
Medium	46%	42%	24%
High	31%	10%	6%
Motivation			
Low	12%	17%	30%
Medium	75%	77%	65%
High	13%	6%	5%
Engagement			
Yes	79%	69%	52%
Accountability			
Low	19%	28%	38%
Medium	68%	66%	56%
High	13%	6%	6%
DFIA-R <sup>a</sup>			
Substance Use	53%	66%	68%
Education / Employment	43%	66%	72%
Attitudes	65%	79%	85%
Associates	51%	67%	80%
Personal / Emotional	73%	80%	79%
Community Functioning	18%	29%	31%
Marital Family	34%	37%	35%

*Note.* DFIA-R = Dynamic Factor Identification and Analysis – Revised. <sup>a</sup>DFIA-R domains are coded as present if offenders were assessed as presenting a moderate or high need for improvement. Data are missing on this measure for 191 offenders who were assessed using the preceding instrument.

**Security reviews.** Examinations were undertaken to try to determine why offenders released from medium and maximum security had not cascaded to minimum security prior to their release. First and very importantly, given their short sentences, over a third (38%) of the 2,048 offenders statutorily-released while classified as medium or maximum security in 2013-14 did not have a security level review between the determination of their initial offender security level and their statutory release. Specifically, security classification reviews typically occur at least once every two years (CSC, 2014b), yet almost all offenders are eligible for statutory release after serving two-thirds of their sentences. That means that for offenders with a sentence of three years or less, the two year security review requirement would coincide with, or occur after, their statutory release date.

Next, the 1,278 offenders who had undergone a security review yet did not cascade<sup>4</sup> were examined in more detail. First, we examined whether any of these offenders had, in fact, previously been classified as minimum – either initially or at some point throughout their sentence. In total, 11% of offenders had, demonstrating that for some offenders, a previous period at minimum security had been attempted but the offender could not be managed at this level. We then examined these offenders’ institutional behaviour and engagement in their correctional plan. It was expected that rates of involvement in institutional incidents and placements in segregation of offenders classified to medium and maximum security would be higher than those of their counterparts classified as minimum security. As can be seen in Table 4, this positive and linear relationship was found between security classification and indicators of negative offender behaviour was exactly what was found, particularly for serious charges and both voluntary and involuntary segregation placements.

In terms of engagement with the correctional plan, the initial analyses regarding motivation, engagement, and accountability were replicated with this subgroup and results were virtually identical to those presented in Table 1. Overall, offenders classified to higher levels of security were assessed as less motivated to address their correctional plan, considerably less engaged in their correctional plan, and less accountable (i.e., less accepting of responsibility and cognizant of their problems).

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<sup>4</sup> Of these, 1,124 were classified as medium security and 154 classified as maximum.



Table 4.

*Indicators of Institutional Adjustment (Statutorily-Released Offenders Who Had Had a Security Review)*

Institutional Behaviour Indicators	Offender Security Classification at Release (%)		
	Minimum ( <i>N</i> = 276)	Medium ( <i>N</i> = 1,124)	Maximum ( <i>N</i> = 154)
Institutional Offences			
Minor charges	51%	58%	89%
Serious charges	14%	43%	84%
Segregation Placements			
Voluntary	7%	13%	30%
Involuntary	14%	45%	97%
Disciplinary	1%	2%	13%

*Note.* The selection of an appropriate comparison group of offenders classified as minimum security needed to account for the fact that once at minimum security, offenders' security classifications are reviewed only as needed – it was therefore not appropriate to retain only those who had undergone a security classification review. Instead, only minimum security offenders who had been incarcerated for two years or more at the time of their release (i.e., were incarcerated long enough to have been eligible for a security review) were included in this comparison. Offenders can appear in multiple rows.

The security classification reviews conducted for these offenders were also examined in more detail. The security classification review process includes both the administration of the Security Reclassification Scale (SRS), an actuarial measure, and parole officer's analysis of institutional adjustment, escape risk, and public safety risk (CSC, 2014b). SRS results were examined first. Of the scale's 15 items, those found to differ the most among offenders at the three security levels were whether segregation placements had occurred, number of recorded incidents, and correctional plan motivation (defined as the desire or willingness to change and level of active participation in programs and other interventions). In comparisons of offenders classified as minimum and medium security only, correctional plan progress (progress in completing programs in the correctional plan) was also very important. Other SRS items that differed less across security levels included psychological concerns, successful temporary absences and work releases (two items), drug and alcohol rating, and pay grade.

Next, the parole officer's reviews were examined manually by reading and coding the relevant Assessments for Decision. All of the 30 offenders whose files were reviewed were ultimately given the security ratings consistent with the SRS score. Of the 30 offenders included

in the review, 22 were rated as high or moderate on institutional adjustment, 17 were rated as high or moderate for escape risk, and 26 were rated as high or moderate for public safety risk. A high or moderate rating on institutional adjustment was often due to incidents of violence while in the institution and involvement in institutional subculture (e.g., possession of drugs). A moderate or high risk of escape was usually based on previous history of breaching conditions while in the community, including failure to appear and periods of being unlawfully at large. In addition to severe crimes and lengthy criminal histories, public safety risk was often rated as moderate or high due to a lack of program completion, lack of improvement in areas of need, and/or lack insight into offence cycle.

Overall, the review of reasons why offenders are not cascading to lower security did not reveal surprising findings with respect to institutional behaviour and engagement in the correctional plan. Perhaps the most revealing finding is that over a third of offenders in this cohort did not have time for a time-mandated security classification review (although a non-time mandated review could have occurred), during their short sentences, to assess the possibility of transfer to a lower level of security.

**Statutory release.** Finally, we examined factors that could possibly contribute to offenders being statutorily released rather than being granted a discretionary release. While the behavioural indices examined above are relevant in this context, additional factors were also examined. Recent research (Keown, Farrell MacDonald, & Gobeil, in press) confirmed that a considerable portion of offenders cancel or delay their hearings for discretionary release, so the rate of waivers, withdrawals, and postponement was reviewed. Where offenders did choose to waive, withdraw, or postpone, the reasons for doing so were also examined. For these analyses, all statutorily-released offenders were considered.

The vast majority of statutorily-released offenders waived, withdrew, or postponed at least one parole hearing during the current sentence. In fact, 93% of offenders classified to both medium and maximum security did so, as did 84% of those classified to minimum security. Indeed, a substantial portion of statutorily-released offenders were never seen by the Parole Board of Canada prior to their statutory release – in other words, they did not apply for day parole (or withdrew their application) and waived or withdrew their full parole hearing(s). This was the case for 79% of offenders classified to maximum security, 71% of those classified to medium security, and 44% of those classified to minimum security.

As such, a more detailed examination of offenders' parole delays and cancellations was warranted (see Appendix B for details). The most frequent type of delay or cancellation was a waiver of full parole, which had occurred for two-thirds of offenders classified as minimum security and over 80% of those classified as both medium and maximum security. When offenders waived their parole review or withdrew an application, the most-frequently cited reasons for doing so were to avoid a negative decision, program non-completion, or "other". Notably, avoiding a negative decision was a more common reason for offenders classified as medium (25%) and maximum security (32%) than it was for offenders classified as minimum (16%) security. This makes sense given the results of earlier analyses – with those classified to higher levels of security more likely to have failed to engage in their correctional plan and to have displayed institutional misbehaviour, it is not surprising that a negative decision would be anticipated.

***Parole reviews resulting in denied discretionary release.*** Despite parole review cancellations being common, a considerable portion of offenders were considered by the Parole Board for day and/or full parole, and were denied. To better understand the reasons why these offenders were not granted parole, a qualitative review of 20 cases was undertaken. In each case, the Assessment for Decision, wherein a recommendation to grant or deny parole was articulated by a parole officer, was examined in greater detail.

Of the 20 cases reviewed, 14 offenders were not supported by CSC for any type of parole, one was supported for full parole, and five were supported for day parole.<sup>5</sup> Generally, more than one reason was given for not supporting discretionary release. The most common reasons were previous failure on release ( $n = 11$ ) and severity or length of criminal history ( $n = 11$ ). Additionally, poor institutional adjustment ( $n = 9$ ), lack of improvement or gains in areas of concern ( $n = 9$ ), lack of insight or responsibility regarding offence and/or offence history ( $n = 7$ ), and program non-completion ( $n = 6$ ) were also cited as reasons to not support parole.

Notably, some offenders had completed programs but were perceived to be lacking improvement in the areas addressed by the programming. For example, one offender spent time in segregation due to a fight that "occurred just over a month after [the offender] successfully completed the Violence Prevention Program, further demonstrating [his] comfort with the use of

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<sup>5</sup> The data available for these analyses did not allow for determination of the Parole Board's reasons to deny parole when offenders were supported by CSC.

violence to solve his problems...Despite successfully completing the Violence Prevention Program, [the offender] remains deeply entrenched in his faulty beliefs and continues to use violence as a way to deal with issues.”

Taken as a whole, these analyses align with previous results (Keown et al., in press) that underscored the prevalence of cancellations and delays of parole hearings. Among those offenders who were considered for parole, many of the factors outlined in analyses relating to security classification – engagement in the correctional plan, institutional misbehaviour, and improvements as a result of correctional plan engagement – were echoed.

## **Discussion**

This study was undertaken to contextualize recent findings that the proportion of men offenders released at statutory release has increased (Public Safety, 2015). They also aimed to shed light on indications that a large proportion of these releases occur from medium and maximum security penitentiaries (Office of the Auditor General, 2015).

### **Post-Release Outcomes by Security Classification**

Analyses of offenders' suspensions, revocations, and post-release re-offending were consistent with previous findings, with offenders released from higher levels of security having higher rates of all three types of returns to custody. These differences remained present – though were of slightly smaller magnitude – when analyses were limited to only statutorily-released offenders. This diminution is logical given that limiting analyses to those with the same type of release eliminates the portion of post-release outcomes attributable to release type (i.e., essentially controls for the factors associated with PBC members not being willing to grant discretionary release). Notably, results were very similar regardless of whether offenders were imposed residency conditions, alcohol- and drug-related conditions, avoid certain/specific people conditions, follow treatment or program conditions, and other special conditions. In other words, results aligned with others' findings (Chen & Shapiro, 2007; Gaes & Camp, 2009) that offenders released from higher levels of security are more likely to return to custody, even after accounting for certain offender differences.

Though these findings are consistent with expectations, they are marked by certain limitations. First, in the present analyses, it was not possible to statistically control for many pre-release factors; indeed, limiting analyses to statutorily-released offenders was a somewhat limited approach. Second, in both the current study and the cited American research, no controls were in place for post-release factors. For instance, it is possible that parole officers' tolerance of offenders' risk is influenced by the security classification from which they are released, with, for instance, parole officers perceiving those released from minimum security to be more manageable than their counterparts released from higher security. Alternatively, parole officers may have supervised those released from higher levels of security more closely, which could in and of itself have led to problematic behaviours being more readily noticed than had less intensive supervision been employed (e.g., Petersilia & Turner, 1993). Neither these possibilities

nor other post-release factors were accounted for methodologically; future researchers may choose to examine these possibilities in greater detail.

### **Factors Linked to Being Statutorily-Released from Medium and Maximum Security**

The second series of analyses focused on identifying possible factors associated with offenders not cascading to lower levels of security prior to release, and/or being released on statutory release rather than on day or full parole. Preliminary analyses in these areas showed that offenders statutorily-released from different security levels differed importantly even at intake, suggesting that many of the differences among these offenders were present prior to their periods of incarceration rather than developed while in custody. Offenders classified as medium or maximum security at release and those who were statutorily released were consistently higher risk, less engaged in their correctional plan – for example, by failing to participate in correctional programs – and less accountable. They also had more institutional misbehaviour and were noted to lack insight or responsibility regarding their offences.

Perhaps the most interesting findings were linked to opportunities. Over a third (38%) of offenders statutorily released while classified as medium or maximum security did not undergo a security classification review – that is, their statutory release occurred prior to the two-year milestone where a security classification review is required. Indeed, this would be the case for all offenders with a sentence of three years or less, for whom the two year security review requirement coincides with, or occurs after, their statutory release date.

With respect to factors contributing to being statutorily released, a considerable number of offenders did not take their opportunities to be considered for day and/or full parole. Indeed, paralleling the different distributions of release types seen across security levels, the proportion of offenders who were never seen by the Parole Board prior to their statutory release was much higher among those classified to medium and maximum security than their counterparts classified as minimum security even though the opportunity to do so was available to them. In keeping with previous findings (Keown et al., in press), the most common reasons for parole hearing delays and cancellations were to avoid a negative decision, program non-completion, or other reasons not specified.

Overall, then, it is not consistently the case that offenders were determined to be poor risks for a lower level of security or for a discretionary release; in at least some of the cases, these possibilities were simply never considered, either for policy reasons or due to the

offender's choice. If it desired to increase the number of offenders discretionarily released from lower levels of security, a further examination of this finding could be fruitful.

## **Conclusion**

Overall, this study contextualizes recent findings that show an increase in statutory releases combined with releases occurring from medium and maximum security institutions by quantifying the magnitude in differences in rates of return to custody according to security classification and by examining some of the factors that may contribute to offenders not cascading to lower levels of security and/or being discretionarily release. Though these analyses do provide valuable information, and align with anecdotal information, they could be strengthened in future examinations by being extended to less readily-available data. For instance, interviews with offenders and staff regarding their perceptions of reasons why security classification cascading and parole do not always occur may contribute valuable insight as might the review of case management records. In turn, these insights could allow for the development of plans of action that may facilitate of the transfer of offenders to minimum security prior to their release., In addition, although it was beyond the scope of this paper, it may be informative to examine Aboriginal offenders separately to see if findings are similar.

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**Appendix A: Post Release Outcomes by Security Classification at Release and by Release Conditions (Statutorily-Released Offenders Only)**

Post-Release Outcome	Offender Security Classification at Release (%)		
	Minimum	Medium	Maximum
Residency Conditions			
<i>N</i>	79	674	174
Suspension	49%	64%	76%
Revocation without offence	29%	42%	59%
Revocation with offence	4%	6%	11%
Alcohol- and Drug-Related Conditions			
<i>N</i>	430	1,496	254
Suspension	51%	66%	74%
Revocation without offence	33%	43%	58%
Revocation with offence	5%	8%	10%
Avoid Certain / Specific People Conditions			
<i>N</i>	563	1,633	272
Suspension	42%	62%	72%
Revocation without offence	27%	40%	56%
Revocation with offence	4%	8%	10%
Follow Treatment or Programming Conditions			
<i>N</i>	249	820	136
Suspension	41%	60%	75%
Revocation without offence	24%	39%	60%
Revocation with offence	2%	5%	7%
Other Conditions			
<i>N</i>	393	1,127	174
Suspension	38%	60%	68%
Revocation without offence	24%	38%	55%
Revocation with offence	3%	7%	7%

*Note.* Condition categories are not discrete; in other words, offenders with both residency and substance use related conditions appear in both corresponding sections of the table.

**Appendix B: Parole Review Delays and Cancellations by Security Classification at Release  
(Statutorily-Released Offenders Only)**

Table B.1

*Frequency of Parole Review Delays and Cancellations*

Parole Review Delays and Cancellations	Offender Security Classification at Release (%)		
	Minimum (N = 643)	Medium (N = 1,762)	Maximum (N = 286)
Day Parole			
Waived	<1%	<1%	<1%
Withdrawn	16%	18%	18%
Postponed	30%	23%	19%
Full Parole			
Waived	67%	81%	86%
Withdrawn	4%	2%	1%
Postponed	36%	29%	27%
Either Day or Full Parole			
Waived	67%	81%	86%
Withdrawn	17%	18%	18%
Postponed	38%	30%	28%

*Note.* Offenders can appear in multiple rows.

Table B.2

*Reasons for Parole Review Waivers or Withdrawals*

Reason	Offender Security Classification at Release (%)		
	Minimum (N = 432)	Medium (N = 1,438)	Maximum (N = 246)
Program Non-Completion	40%	38%	29%
Avoid Negative Decision	16%	25%	32%
No CRF / Community Support	3%	4%	2%
Not interested	9%	8%	8%
Information / Assistant Unavailable	1%	1%	<1%
Pending Appeal / Transfer	2%	1%	1%
Other	40%	28%	33%

*Note.* Limited to offenders who waived or withdrew a parole review; excludes offenders who postponed as reasons for postponements are virtually never provided. Offenders can appear in multiple rows. “CRF” = Community Residential Facility.