

Corrections

Ottawa-Carleton Detention Centre Task Force Action Plan

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Introduction

In recent years, concerns have been raised that overcrowding at the Ottawa-Carleton Detention Centre (OCDC) has caused health and safety issues for both staff and inmates. There has been persistent media coverage of issues plaguing the facility and in February 2016, it was reported that there were times that the overcrowding at OCDC resulted in some inmates being required to sleep on mattresses in shower cells. This prompted the Minister of Community Safety and Correctional Services (MCSCS), Yasir Naqvi, to issue a statement calling this practice “appalling” and “unacceptable” and order an immediate and permanent end to this.

On March 25, 2016, Minister Naqvi established an OCDC Task Force to develop an action plan to address overcrowding and capacity issues, the resulting impacts at OCDC in the near term, and to identify long-term solutions to improve the health and safety of all inmates and staff.

As directed by the minister, the Task Force was mandated to:

- Plan and conduct a review of overcrowding and capacity issues at OCDC, including a review of standing orders, policies and trends¹.
- Develop an action plan with specific recommendations to address:
 - Overcrowding and capacity issues at OCDC on both a short and long-term basis, including approaches to facilitate effective and efficient gradual release.
 - Long-term solutions to improve the health and safety of inmates and staff.
- Create an accountability structure as part of the action plan to track and report on the recommendations that are implemented by the ministry.

Composition of the Task Force

The minister appointed Matthew Torigian, Deputy Minister of Community Safety and Correctional Services as the Task Force lead. The Task Force met six times between April 12, 2016 and May 26, 2016 and was comprised of the following members:

- Marg Welch, Associate Deputy Minister, Correctional Services - Task Force Chair

- Pauline Jones, Director, Institutional Services
- Mike Wood, Superintendent, OCDC
- Randy Denis, Eastern Regional Director
- Daryl Pitfield, Manager, Institutional Operations Branch
- Monte Vieselmeyer, Corrections Ministry Employer-Employee Relations Committee (MERC) Chair – Union
- Denis Collin, Local/OCDC Union President
- Todd Hockey, Correctional Officer, OCDC
- Vikki Bair, Crown Attorney, Ottawa, Ministry of the Attorney General
- Meredith Porter, Community Advisory Board Chair, OCDC
- Dominic Lamb, Defence Counsel Association of Ottawa
- Irene Mathias, Mothers Offering Mutual Support - Community Representative
- Bryonie Baxter, Executive Director, Elizabeth Fry Society of Ottawa

Analysis and Consultations

In developing its recommendations, the Task Force consulted with the following stakeholders:

- Correctional Service of Canada
- Ministry of the Attorney General (Criminal Law Division)
- Chief Justice of Ontario
- Ottawa Police Service
- Ontario Provincial Police
- The Local Bail Committee Representative for the Ottawa Crown
- Ontario Parole Board
- Probation Officers Association of Ontario
- John Howard Society of Ottawa

The Task Force also surveyed inmates at OCDC and conducted a trend analysis. The Task Force also received a total of seven public submissions from private citizens and stakeholder groups with recommendations to address the capacity issues at OCDC. The Office of the Ontario Ombudsman, Legal Aid Ontario, Canadian Civil Liberties Association and the Criminalization and Punishment Education Project all made submissions to the Task Force which were integrated into the final recommendations. A summary of a public forum on the conditions at OCDC organized by Mothers Offering Mutual Support was also submitted. These resources provided an important contextual understanding of the issues within OCDC.

Inmate Questionnaire

The Task Force felt it was important to also gain an inmate's perspective while developing its recommendations. As a result, the Task Force drafted a questionnaire for inmates that covered a range of issues such as overcrowding, transfers, segregation, health and safety and early release. Members of the OCDC Community Advisory Board facilitated the completion of 130 questionnaires (43 female inmates and 87 male inmates).

Common Themes:

- 53% of the inmates felt that the bail and remand system needs to be improved in order to address the capacity issues at OCDC.
- 79% of the inmates who responded to the questionnaire had spent time in segregation. Of those inmates who spent time in segregation, 30% requested to be housed in segregation and 70% were

placed in segregation for a variety of reasons.

- A number of those inmates in segregation had varied experiences but the concerns were reflective of inmate complaints tracked by Office of the Ontario Ombudsman which included a lack of programming, limited access to health care and conditions of confinement.
- 66% of the inmates felt they needed both more health care services and improved quality of care.
 - The top three health care services female inmates felt needed improvement were increased access to doctors, better access and accuracy of medical prescriptions and increased addiction supports.
 - For male inmates it was better dental care, increased addiction supports and increased mental health care supports.
- On safety related concerns, 34% of inmates were concerned about the potential of disease and 51% felt the cleanliness of the institution should be improved.

Movement of Inmates

OCDC recently took action to reduce the inmate population by transferring out sentenced inmates and a limited number of those on long term remand. As a result, inmates were asked if this movement made a difference for them and if they would transfer out of OCDC if given the option.

- 54% of male inmates that responded felt that the movement of inmates made a positive difference for them and 46% did not due to conditions of confinement.
- 92% of female inmates that responded felt that the movement did not make a difference and 8% said it did make a difference.
- For those male inmates that responded, 47% would transfer out of OCDC if given the option and 53% would not. Of those that declined, a majority said they did not want to be moved away from their family.
- For those female inmates that responded, 63% of female inmates would agree to a transfer out of OCDC and 26% would not. Similar to the male response, most declined due to family reasons.

Trend Analysis

A trend analysis on bed utilization at the OCDC was undertaken by the ministry to identify capacity pressures and how it impacts both the operations and inmates at the institution. The analysis covered a 10 year period between 2005-2006 and 2014-2015 and tracked Average Counts, Special Purpose Counts, including inmates transferred to protective custody, Admits, which is anybody admitted into custody, Admit Alerts, including admissions with a mental health alert and Sentenced Admissions.

The trend analysis also identified areas of concern related to the inmate population within the institution, such as substance abuse, mental health concerns and a significant increase of male inmates in protective custody.

Highlights of the findings include:

Average Counts

Average counts are calculated from the daily institutional counts tracked by the ministry. All of the daily counts in the fiscal year are added together and divided by the total number of days in the period to get the average daily count.

- The total average count at OCDC increased nearly 24% in the ten year period; the largest increases were in provincially sentenced and intermittent sentenced populations. Although the sentenced counts increased, remands comprised the majority of the total population in all ten years.

- Based on a total current capacity of 496 inmates (440 males and 56 women), the average utilization rate at the institution peaked in 2008-2009 at 107% and was at its lowest for a part of 2014-2015, at 92%. The overall rate for 2015-2016, increased to 100%.

Special Purpose Counts

Non-operational or 'special purpose' beds, namely segregation and medical beds are included in special purpose counts. As with the overall average counts, all of the daily counts in the special purpose beds are added together and divided by the total number of days in the period to calculate the average special purpose count.

- Over 10 years, there has been considerable increase in the average inmate count at OCDC in protective custody units with the male count more than doubled going from 85 to 190.

Admits

Admits are the total number of admissions to an institution(s) in the fiscal year, regardless of the reason for admission.

- Admissions with an initial status of 'remand' at OCDC accounted for approximately three-quarters of all admissions, however, over the 10 years, the proportion dropped from a peak of 78% in 2006-2007 to 69% in 2013-2014.

Admit Alerts

In the offender database, a number of flags or 'alerts' may be added to an offender's record to identify supervision and/or management concerns. Alerts include a variety of concerns ranging from dietary and religious requirements, to non-association orders, health concerns, and high profile offences/offender indicators.

- Among males, the proportion of admissions with a mental health alert at OCDC increased from 10% in 2005-2006 to 22% in 2014-2015; among females, the proportion increased from 18% to 50%. However, it should be noted that alerts do not mean there has been a diagnosed mental illness.
- Between 2005-2006 and 2014-2015, there was some fluctuation in the proportion of female admissions with substance abuse alerts, and while there was an overall increase in the proportion of the period (up from 57% to 62%), it was not as pronounced as the increase in the proportion of males (up from 25% to 40%).

Sentenced Admissions

The 'admissions' include sentences imposed for offenders admitted initially on remand and subsequently sentenced to incarceration, as well as offenders who are admitted on sentence to incarceration with no preceding remand.

- Between 2012-2013 and 2014-2015, sentenced admissions at OCDC dropped 5.4%; the decrease was more substantial among females (down 12.7%, compared to a 4.3% decrease among males).
- Over the same time period, approximately one-third sentenced admissions at OCDC were for less than one month; among females, the proportion was higher, ranging from 39% to 44%. Males were more likely to have a sentence over 90 days - on average about one-quarter compared to 17% for females.

Office of the Ontario Ombudsman Submission

The Office of the Ontario Ombudsman (OOO) has the authority to receive and respond to complaints about public sector bodies, including all of Ontario's adult correctional facilities.

The Ombudsman's Office receives about 4,000 complaints annually relating to correctional matters. Approximately 10% of those corrections complaints relate to OCDC, with 392 complaints received in 2015-2016. This ranked third amongst all correctional institutions in Ontario. With a capacity of only 585, OCDC was the only institution in the top five that had a capacity of less than 1,000 inmates.

In 2015-2016, complaints about medication and the adequacy of medical care were the most common subject areas across all correctional institutions in Ontario. The three most complained about issues at OCDC were medication, the adequacy of care and delays in accessing health care. These were consistent with the top three across the province. But on other issues like segregation and the continuity of medical care, the Office received a disproportionately high number of complaints for the OCDC. Overall, the findings of the OOO were consistent with the main areas of concern identified in the inmate questionnaire.

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Action Plan – Recommendations

Common Themes for Task Force Recommendations

The trend analysis, stakeholder consultations, public submissions and inmate questionnaires collectively shaped many of the following recommendations made by the Task Force.

The Task Force developed 42 short, medium and long term recommendations to address the capacity challenges and improve the health and safety of both inmates and correctional staff at the OCDC. The recommendations were grouped under seven themes:

- 1. Tracking Institutional Trends**
- 2. Population Management and Administration**
- 3. Bail and Remand**
- 4. Health Care**
- 5. Conditions of Confinement**
- 6. Capital Improvements**
- 7. Reintegration into the Community**

For the purpose of this report, short term is defined as one to three months, medium term is four to six months and long term is six months or more from the date this report is issued.

Accountability Framework

In order to establish an accountability framework for the Task Force recommendations to be implemented, the ministry is to report back to the minister on the progress of the Task Force Recommendations on a quarterly basis with the first report back due on October 30, 2016. The report back must clearly articulate the current status and progress on each short, medium and long term recommendations by the Task Force.

Additionally, prior to tabling the January and July report backs with the minister, the ministry should engage the Justice Services Audit Team of the Treasury Board Secretariat's Ontario Internal Audit Division to review management assertions and supporting documentation to determine if the ministry is able to demonstrate appropriate action is being taken to address the Task Force recommendations.

A summary of the quarterly reporting to the minister should also be made publicly available by posting these reports on the Ministry of Community Safety and Correctional Services website.

Tracking Institutional Trends

The Task Force was in agreement that the Trend Analysis was a useful exercise in highlighting some of the challenges facing OCDC. Members of the Task Force expressed a need to continue tracking the data found in the analysis.

Quarterly Trend Analysis – Short Term

Recommendation 1:

MCSCS should conduct a quarterly trend analysis in order to better monitor conditions at OCDC, and the progress being made on implementing Task Force recommendations.

Open Data – Medium Term

Ontario's Open Data Directive maximizes access to government data by requiring all data to be made public, unless for legal, privacy, security, confidentiality or commercially-sensitive reasons. It set out key principles and requirements for publishing open data, and applies to data created and managed by Ontario ministries and provincial agencies.

Recommendation 2:

Within the terms of the Open Data Directive, all data collected by MCSCS as a result of the Task Force recommendations should be made available to the public.

Population Management and Administration

All measures need to be taken to avoid the movement of remanded offenders from their local institution unless the conditions of confinement are negatively impacted due to capacity pressures or if the transfer is requested by the inmate. For remanded inmates that are moved, there should be provisions established for maintaining family contact and proper access to counsel.

Provincial Inmate Transportation Coordinator – Short Term

A Provincial Inmate Transportation Coordinator for Inmate Population Management improves the balance of inmate capacity across the system by reviewing and monitoring all sentenced and remand inmates to determine their placement throughout the province, depending on the capacity and number of inmates at each institution.

Recommendation 3:

MCSCS should reintroduce the position of Provincial Inmate Transportation Coordinator to balance inmate capacity throughout the Province and reduce overcrowding at OCDC and other institutions.

This recommendation was implemented as of May 9, 2016, with the appointment of an Acting Provincial Coordinator.

Movement of Sentenced and Long Term Remand Inmates – Short Term

Recommendation 4:

Offenders at OCDC that are sentenced to more than 30 days should be moved to other institutions that provide access to increased programs and services to assist with offender treatment and rehabilitation.

Phone Calls to Family Members – Long Term

Currently, inmates are permitted to make collect calls to family members when housed at any institution. When an inmate is moved to an institution outside his or her community, this cost can be burdensome on the families of inmates.

Recommendation 5:

MCSCS should explore more cost effective measures for inmates to communicate with family members and other support networks when transferred to an institution outside of the inmate's community. Additionally, remand offenders that are moved from OCDC to alleviate capacity pressures should be provided one phone call a week to family members at no cost.

Inmate Request/Complaint Tracking and Processing – Short Term

Recommendation 6:

MCSCS should review and revise the inmate request and internal complaint process to ensure the systems in place are tracked, clear and transparent, with clearly defined service standards for complainants. This should include annual public disclosure of the nature of inmate complaints made to the ministry, remedial action taken and number of days to resolution.

Provincial Bailiff Transfer Schedule –Medium Term

Transfers made by the provincial bailiff are completed to move inmates to specific locations for a various reasons such as to participate in court mandated treatment programs, for additional court appearances at different locations, to be closer to family supports, for discharge and planning purposes and on occasion to reduce overcrowding at some adult correctional institutions.

Recommendation 7:

MCSCS should review the provincial bailiff transfer schedule to ensure it meets the needs of the operations of OCDC with the least intrusive impact on the inmates and the courts. Schedule revisions should be reviewed quarterly by the Assistant Deputy Minister of Institutional Services to ensure they meet the transfer needs of the institution.

Professional Visits – Short Term

Recommendation 8:

MCSCS should increase the time available for professional visits in order to ensure these visits are more effective and useful for inmates. The ministry should also explore providing legal counsel with a lap tops with appropriate software during legal visits strictly for the purposes of disclosure.

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Bail and Remand

Issues related to bail, remand (or pre-trial custody) and time to trial are significant factors that contribute to overcapacity within OCDC. This was also highlighted by the public submissions and inmate questionnaires received by the Task Force and during stakeholder consultations.

The recommendations below are focused on working closely with the Ministry of the Attorney General (MAG) since bail and remand fall within their jurisdiction. All members of the Task Force agree that the use of restrictive conditions and sureties should be examined. However, some members of the Task Force feel that the overuse of restrictive conditions and overreliance on sureties are a contributing factor to overcrowding at OCDC.

Pre-Trial Custody Project – Medium Term

On May 2, 2016, MAG launched a Pre-Trial Custody Project for six months deploying two prosecutors with specific expertise to provide timely advice to police on police releases and bail, and to expeditiously and efficiently review all in coming and existing custody matters with a view to resolution on a principled basis. This project also aims to reduce time to trial where possible.

Recommendation 9:

Data should be collected by MAG on the project in order to determine if it has resulted in a reduction in remand within the region, and whether there has been a subsequent reduction in remand overall. If the Project meets its objectives, the Crown should incorporate the methodology of the Pre-Trial Custody Project into internal practices.

Additional Dedicated 'In Custody' Trial Court – Medium Term

Recommendation 10:

The Ontario Court of Justice should establish an additional dedicated 'in custody' trial court in Ottawa, with the appropriate court and crown staffing, to reduce the time to trial issues related to in-custody matters. This recommendation aligns with the Pre-Trial Custody Project.

Funded Bail Beds – Medium Term

Bail beds can ease capacity pressures as an alternative to remanding people in custody while they face criminal charges. Occupants of bail beds are expected to meet court-imposed bail conditions and follow house rules.

Recommendation 11:

MCSCS and MAG should work with partner Ministries such as the Ministry of Health and Long Term Care (MOHLTC) and community agencies to review the feasibility of funding bail beds for offenders whom the court determines could be appropriately housed and supervised in the community.

Bail Process – Medium Term

Recommendation 12:

MCSCS should, in collaboration with MAG, examine the bail process, including possible increased appearances by video and early access to Legal Aid.

The greater use of technology and/or the presence of duty counsel or legal aid within the institution should also be considered. Lastly, Justices of the Peace should be encouraged to routinely consider whether it is appropriate to endorse bench warrants to give police officers an option to release at the station on arrests related to breaches of recognizance.

Policing Reforms– Long Term

Recommendation 13:

MCSCS should develop a policy for police services with the goal of diverting low-risk individuals away from pre-trial detention. Specifically, explicit guidance should be given to arresting officers and officers in charge regarding what classes of offences should be presumptively subject to release from police stations.

Policing Reforms – Medium Term

Recommendation 14:

Individuals released from police custody should be proactively informed of the procedures that can be used to vary police-imposed conditions under ss 499(3) and 503(2) of the Criminal Code.

Enhancing Community Support Programs – Long Term

Recommendation 15:

Ontario should work with community agencies to examine strategies that would assist vulnerable individuals who are in the court system such as phone call reminders, transportation assistance, and referrals to social service agencies.

Enhancing Judicial Decision Making–Long Term

Recommendation 16:

Given the fundamental importance of bail decisions and conditions of release, further specialized legal training prior to adjudicating bail matters should be considered for justices of the peace.

Addressing Delays in Bail Court –Medium Term

Recommendation 17:

Bail cases that are not ready to proceed in the morning should be held down until later in the day. All hold down requests that are intended to facilitate the timely release of the accused should be granted by the presiding justice.

It should be presumed that all cases will be dealt with to the fullest extent possible each day. Policies should ensure that the courts have the resources to remain open until individuals who are ready to have their bail hearing have been addressed.

Diversion Programs–Long Term

Recommendation 18:

MCSCS and MAG should increase the availability of pre- and post-charge diversion programs for individuals suffering from addictions and mental illness. Particular attention should be paid to the development of pre-charge diversion options for administration of justice charges for those with mental illnesses.

Bail Conditions–Medium Term

Recommendation 19:

The courts should refrain from imposing bail conditions that are likely to criminalize the symptoms of an underlying mental health issues.

Gladue Considerations–Short Term

Recommendation 20:

Courts should develop ways to incorporate Gladue considerations into the bail process and have regard to the systemic barriers Aboriginal people face in the process of arrest and judicial interim release in order to properly consider these in the determination of release.

Access to Video Technology – Long Term

Recommendation 21:

MCSCS should expand the use of video technology for counsel to provide legal advice for inmates and facilitate professional visits.

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Health Care

The delivery of health care services would be more efficiently and effectively managed by the Ministry of Health and Long-term Care (MOHLTC). Given that this is a long term implementation goal, The Task Force has provided recommendations to immediately address short and medium term health care concerns within OCDC.

In appropriate circumstances, offenders with mental health needs should not be in correctional institutions due to the complexities associated with mental health issues and the limited ability of correctional facilities to provide appropriate care. Therefore, the Task Force believes it is important in the long term to divert those with mental health issues from correctional facilities to more appropriate community based services. Recommendations on mental health issues are not meant to supplement community based resources but rather immediately address current mental health concerns at OCDC until long term diversion can be achieved.

Comprehensive Health Care Review – Medium Term

Recommendation 22:

MCSCS should undertake a comprehensive review of health care services provided at OCDC to ensure the adequate, effective and efficient delivery of services to meet the complex needs of the male and female inmate population.

This review should include, but not be limited to, the timely access to medication, engagement of nurse practitioners and staffing overall, methadone delivery and timely access to health care professionals including dentists. The purpose of the Health Care Review and the implementation of its findings should be to improve the immediate health care conditions at OCDC.

Addiction Support – Medium Term

Recommendation 23:

Given the increasing number of inmates with substance alerts at OCDC as indicated in the trend analysis, MCSCS should expand programming and support for inmates with addiction issues.

Step-Down and Mental Health Units – Long Term

A Mental Health Unit provides support to inmates suffering a mental health crisis to relieve symptoms and stabilize behaviors to enable them to function within a Step-Down Unit.

The purpose of a Step-Down Unit is to help inmates who are no longer in crisis, manage social, emotional and behavioural problems and learn to adopt more socially appropriate behaviours. The ultimate goal is for these inmates to 'step-down' and be able to return to general population safely.

Recommendation 24:

MCSCS should establish Step-Down and Mental Health Units with dedicated trained staff for both men and women at the OCDC to better support inmates with mental healthcare needs.

Alternative Housing Options – Long Term**Recommendation 25:**

MCSCS should, through the Correctional Services Transformation Strategy, collaborate with partner ministries and community agencies to explore alternative housing options such as mental health facilities or dedicated addiction treatment spaces for those sentenced offenders with mental health needs.

Mental Health Training – Short Term

In September 2013, the government committed to 10 public interest remedies to enhance services for inmates with mental health issues in a settlement reached with the Ontario Human Rights Commission (OHRC) and Christina Jahn, a former OCDC inmate. These remedies included enhanced mental health training for front line staff and managers.

The Task Force Supports the Ministry's decision to adopt the Mental Health Remedies as laid out in Schedule "A" of Christina Nadine Jahn v. Her Majesty The Queen in Right of Ontario as Represented by The Minister of Community Safety and Correction Services.

All new correctional officer recruits now receive mental health training, which involves how to detect possible signs of mental illness, and how to refer these inmates to health care or other professional staff who can provide the appropriate care. Training is now underway for existing front line staff and managers and will be completed by June 30, 2016.

This training includes ensuring the necessary training for front line staff who work with inmates with significant mental healthcare needs such as:

- Human rights obligations and the need to accommodate inmates with mental illness;
- Identifying barriers that are symptoms of mental illness;
- The impact of punitive measures, such as the use of force and segregation, on inmates' mental illness; and,
- The specific needs of particularly vulnerable inmate populations with mental illness.

Recommendation 26:

MCSCS should periodically review correctional officer curriculum to determine if any further training is required and ensure all inmates have access to the Segregation Guide as committed to under the Jahn settlement.

Transfer of Health Care Delivery – Long Term**Recommendation 27:**

The Ministry should initiate discussions with the Ministry of Health and Long-term Care and other partner ministries to transfer the delivery of health care services provided at Ontario's adult correctional institutions to the MOHLTC.

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Conditions of Confinement

In order to address health and safety concerns within OCDC, the conditions of confinement for the inmates must be improved. Addressing the living conditions at OCDC for the inmates will have a cascading effect on improving the overall environment at the institution. This will also have a positive impact on the working conditions for OCDC staff.

OCDC Information Brochure – Short Term

Recommendation 28:

To assist inmates in orienting themselves to the institution, an OCDC information brochure on procedures, rights and operations at the institution should be developed and distributed to inmates. This should also include information on complaints, requests, visits, as well as the process and contact numbers for Legal Aid Ontario.

Cleanliness of the Institution – Short Term

Recommendation 29:

To improve the health and sanitary conditions at OCDC, an enhanced schedule and scope of cleaning for the entire institution should be put in place to improve and maintain the overall level of sanitation and to prevent spread of contagious disease and mould, including a regular and thorough cleaning of all walls, showers, floors and windows, and insect extermination.

This should also include the disinfection of all hygiene products and regular washing of bedding for inmates as per the standing orders of the institution. In order to prevent the spread of disease in the shower area, shower sandals should be provided to all inmates.

Food and Nutrition – Medium Term

Recommendation 30:

MCSCS should re-evaluate its food delivery system options including dietary requirements, quality of food items purchased and costs. The Ministry's food services managers, dietary coordinator and procurement staff should meet on a regular basis to review complaints arising from food service at all institutions, determine if new food items are to be added and whether existing vendor contracts should continue. There should also be nutrition information and education made available to inmates.

Recreation – Long Term

In addition to food and nutrition, regular exercise is a key component in maintaining the physical and mental well-being of inmates.

Recommendation 31:

MCSCS should reintroduce recreation positions at OCDC with the necessary resources and equipment.

Support for Diverse Inmate Population – Medium Term

Recommendation 32:

MCSCS should provide increased spiritual/cultural counselling and programming for the diverse inmate population at OCDC. This should include, but not be limited to Indigenous Persons, Muslims, new immigrants and racialized inmates.

Institutional Phone System – Long Term

Recommendation 33:

MCSCS should review its inmate telephone system with a view to improving affordability and making calls to cellular phones.

Use of Segregation – Medium Term

The Task Force is aware that MCSCS is also undertaking a comprehensive segregation review across all of Ontario's correctional facilities including OCDL to ensure that segregation is only used as last resort with a goal of reducing the use of segregation and improving the overall conditions of confinement for offenders.

The Task Force recommends a significant reduction of the use of segregation at OCDL. Some members of the Task Force have also expressed a desire that the use of segregation should be abolished.

Recommendation 34:

Specific to this review and at OCDL, the MCSCS should:

- Ensure inmate access to privileges, rights and entitlements such as fresh air, interaction with others, out-of-cell activity and mental health supports.
- Enhance or establish mental health treatment capacity across the system to address the overuse of segregation for those with mental health needs.
- Ensure the implementation of the segregation review is supported by the appropriate staffing models and staff training.
- Focus on data collection and tracking, including greater public accountability and transparency in publishing segregation data.

Direct Supervision – Long Term

The direct supervision model encourages positive interaction between staff and inmates to prevent and address negative inmate behaviour before it escalates. The physical design of direct supervision institutions remove the barriers found in the typical podular inmate surveillance design so that correctional officers have contact with inmates at all times.

Recommendation 35:

MCSCS should implement the direct supervision model at OCDL. Task Force members understand that this would be a lengthy implementation goal that would go beyond the definition of long term as defined in this report.

Community Advisory Boards – Short Term

Community Advisory Boards (CABs) have been established at eight adult correctional institutions across the province including OCDL. CABs are mandated to provide advice and recommendations to the Ministry and the government on all aspects of the operations of the individual correctional facilities they serve. CAB members meet regularly with senior management of the correctional facilities to discuss and review programs and services, and are also able to tour the correctional facilities and speak directly with staff and inmates about working and living conditions.

Recommendation 36:

MCSCS should ensure that information about the OCDL CAB is available to all inmates across the institution including how an inmate or staff member can contact members of the CAB.

Community Groups and Volunteers – Short Term

Recommendation 37:

MCSCS should facilitate more involvement from community groups and volunteers who can provide voluntary educational and other programs to inmates.

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Capital Improvements

In order to accommodate recommendations made on **health care** and **conditions of confinement**, investments will need to be made by the Ministry on capital improvements for OCDL. This includes modifications to the infrastructure and an overall physical inspection of the institution.

Infrastructure Modifications – Long Term

Recommendation 38:

In addition to infrastructural modifications to accommodate **Step-Down and Mental Health Units** (see **Recommendation 24**), MCSCS should examine additional infrastructural needs of the institution to improve the health and safety of both inmates and staff and also accommodate the delivery of expanded programming.

Physical Inspection – Long Term

Recommendation 39:

MCSCS should undertake a full facility physical inspection to improve health and safety conditions, and create a more hygienic environment for inmates and staff. This inspection would determine and recommend immediate maintenance and renovations, including, but not limited to, security, painting and cleaning of air ducts. It would also establish a long-term, lifecycle approach for the physical infrastructure.

Reintegration into the Community

In addition to providing recommendations to address capacity issues and improve health and safety conditions at OCDL, it is important to provide recommendations to better facilitate the integration of inmates into the broader community once released from the institution.

Intermittent Community Work Program – Short Term

Convicted offenders sentenced to a period of incarceration of 90 days or less may petition the court at the time of their sentencing to allow them to serve their term of incarceration intermittently (usually on weekends). The decision to permit an intermittent sentence is solely the jurisdiction of the courts/the judiciary. The ministry has a legal obligation to uphold the orders of the court, which includes accommodating offenders serving intermittent sentences.

The Intermittent Community Work Program (ICWP) allows eligible inmates serving intermittent sentences to perform supervised community work, or attend substance abuse programs rather than spending weekends in the institution. The program is voluntary, and inmates who want to participate must apply and continue to qualify for the program by demonstrating and maintaining appropriate behaviour. Inmates who have been deemed to pose a community safety threat are not eligible to participate in the program.

Greater use of ICWP will reduce the capacity pressure caused by an influx of inmates being admitted to the institution to serve their sentences on weekends.

Recommendation 40:

MCSCS should evaluate the utilization of the ICWP to ensure its use is being maximized and take appropriate measures for the Program to be expanded. This should include measures to ensure better access for female offenders at OCDC that have been convicted for impaired driving charges.

Temporary Absences Permits – Long Term

Currently, the Superintendent of the institution has the authority to grant escorted or unescorted temporary absences less than 72 hours in duration. The Ontario Parole Board is responsible for all unescorted temporary absences of 72 hours and longer.

This program allows the inmate to be absent from the institution, with or without escort, for a defined period of time to participate in a specified individual or group program or treatment services.

Temporary absences granted to inmates nearing their release date would help support successful reintegration back into the community.

Recommendation 41:

MCSCS should increase the use of temporary absences for inmates near the end of their sentences by working in collaboration with the Ontario Parole Board.

Discharge Planning and Parole Application Support – Long Term**Recommendation 42:**

MCSCS should provide necessary resources to assist with discharge planning for inmates and better support mechanisms for inmates preparing for parole applications at OCDC. This includes incorporating a case management team approach for discharge planning and parole applications, initiating discharge planning upon admission and enhancing community partnerships to better support the reintegration, discharge and parole planning for inmates.

Finally, the Task Force also recommends the Ontario Parole Board and the Ministry to review the role of community agencies in facilitating an inmate's preparation for parole.

Notes

¹ Those Task Force members external to the Ministry were not provided copies of the existing standing orders and policies.

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