

_____ **Research Report** _____

**The Impact of Correctional
Program Referral Guidelines on
Low-Risk Men Offenders**

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The Impact of Correctional Program Referral Guidelines on Low-Risk Men Offenders

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Executive Summary

Key words: *low-risk offenders, risk principle, correctional programming*

The Correctional Service of Canada (CSC) has developed policy to appropriately direct referrals to correctional programs for federal offenders. The policy prioritizes programming for higher-risk offenders and limits participation in for low-risk offenders. This method of differential programming is supported in the effective corrections literature, in particular, the Risk-Need-Responsivity (RNR) model of correctional interventions. The risk principle of the RNR model maintains that higher levels of service and more intensive interventions should be reserved for higher risk cases. Related research has suggested that participation in correctional interventions for low-risk offenders is unnecessary and may even be criminogenic. An increasingly large body of research has shown participation in correctional programs that adhere to the risk principle is related to positive outcomes.

This study examines the impact of the policy restricting participation of low-risk offenders in correctional programs on the offenders' actual rate of program participation and the subsequent impact on key correctional outcomes. Three approaches were used: 1) First, we examined the impact of revisions to CSC's correctional program referral criteria, as reflected in the National Correctional Programs Referral Guidelines (NCPRG), on low-risk offenders. To do this, two admission cohorts of low-risk offenders were compared: (a) the pre-NCPRG group, consisting of 1,525 offenders admitted to CSC between June 30, 2006 and June 30, 2007; and (b) the post-NCPRG group, consisting of 1,846 offenders admitted between July 30, 2009 and July 30, 2010. We examined whether, compared to the pre-NCPRG group, the post-NCPRG group had lower program participation, more parole hearing delays, served a greater proportion of their sentence prior to first release, had fewer positive Parole Board of Canada decisions, and were less likely to be granted discretionary release. Institutional behaviour and rates of recidivism for the low-risk offenders were also examined; 2) Secondly, to determine whether the pattern of referrals of low-risk offenders to the NRCs had changed over an extended time period, we looked at quarterly trends over 8 years for low-risk offenders assigned to, and enrolled in, this menu of programs; 3) Finally, to determine the trend in referrals of low-risk offenders to the recently implemented Integrated Correctional Program Model (ICPM), we examined the proportion of low-risk offenders assigned to, and enrolled in, this menu over 12 quarters. An additional analysis involved an examination of a random number of low-risk offenders referred to the NRCs and the ICPM to determine whether, despite their designation as low-risk, there was file information justifying the referral based on the over-ride criteria spelled out in policy.

Overall, results showed that rates of enrolment of low-risk offenders in NRCs declined slightly after the implementation of NCPRG, but that this trend began prior to the implementation of the guidelines. Furthermore, the 2009 guideline implementation did not appear to affect low-risk offenders with regard to their frequency of institutional charges, admissions to segregation, parole hearing delays or Parole Board of Canada decisions, proportion of sentence served incarcerated, type of conditional release granted, or outcome on release. Finally, additional analyses demonstrated that the majority of low-risk offenders met the over-ride criteria as specified in policy and were therefore appropriately enrolled in correctional programs.

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Introduction

An important component in developing criminal justice policy is identifying the most effective approaches to intervention. Led by the contributions of a group of Canadian researchers, this effort culminated in the emergence of what is now the gold-standard in effective correctional programming, the Risk-Need-Responsivity (RNR) model (Andrews & Bonta, 2010). Based on empirically-validated correlates to crime and evidence-based theories of intervention, the RNR model demonstrated that well-designed and implemented rehabilitation programs can be effective at reducing criminal recidivism and advancing public safety goals (Ogloff & Davis, 2004). Today, the RNR model influences research and the development of correctional interventions in jurisdictions around the world. In the Correctional Service of Canada (CSC), for example, correctional programs are developed and implemented based on the RNR framework. Correctional programs in CSC are interventions that address factors directly linked to offenders' criminal behaviour, with the primary goal of helping offenders safely and successfully reintegrate into the community (Corrections and Conditional Release Act (CCRA), 1992). Within CSC, for a period of over 15 years, offenders who met referral criteria attended programs from a menu of nationally recognized correctional programs (NRCP) designed to adhere to the principles of effective correctional programs. This menu included, Living Skills, Substance Abuse, Sex Offender, Violence Prevention, and Family Violence programs. Most recently, CSC has moved towards the full implementation of the multi-target Integrated Correctional Program Model (ICPM) that addresses the multiple criminogenic needs of offenders in a single suite of programs.

The Risk Principle in the RNR Framework

The risk principle in the RNR framework recommends that the highest levels of service should be reserved for higher-risk offenders as they are most likely to benefit from correctional intervention. Evidence suggests that interventions targeting low-risk offenders may be, at best, ineffective, and at worst, criminogenic (Andrews & Bonta, 2010; Lowenkamp, Latessa, & Holsinger, 2006). Operationally, this principle consists of two stages: first, predicting recidivism through risk assessment and second, matching intervention intensity to pre-service risk level (Andrews, Zinger et al., 1990). Structured, actuarial approaches to risk assessment have been

found to produce equitable, defensible, and consistent results when compared to alternative approaches (Ægisóttir et al., 2006) and are used to predict risk with increasing frequency (Barnum & Gobeil, 2011). These approaches consider objective criteria empirically-linked to criminal behaviour. Attending to pre-service risk through discretionary interventions has been shown to result in significant reductions in recidivism (Andrews, Bonta et al., 1990; Andrews, Zinger, et al., 1990; Andrews et al., 2006; Lowenkamp et al., 2006). A meta-analysis conducted by Andrews, Zinger, and colleagues (1990), for example, assigned 124 treatment programs into “appropriate”, “unspecified” or “inappropriate” treatment categories. Notwithstanding other considerations, membership in the “appropriate” group required programs to clearly target higher-risk cases. The average effect of appropriate programs was found to be significantly greater than unspecified or inappropriate treatment. Studies have continued to demonstrate a strong link between the application of the risk principle and effective correction outcomes. A subsequent meta-analysis confirmed earlier reviews, finding overall significantly greater effect sizes for programs targeting primarily high-risk offenders (Andrews & Dowden, 2006). Indeed, the proportion of high-risk participants in a correctional program has been found to be one of the strongest substantive predictors of program effectiveness (Lowenkamp et al., 2006).

The Assessment of Risk and the Referral Process

To determine static risk CSC uses the Statistical Information on Recidivism – Revised 1 (SIR-R1; Nuffield, 1982) tool to categorize non-Aboriginal men offenders (CSC, 2010a). The SIR-R1 has been found to be predictive of re-offending among non-Aboriginal men offenders. However the predictive validity of the SIR-R1 for Aboriginal offenders is weaker (Nafekh & Motiuk, 2002); therefore, the SIR-R1 is not used for these populations. When the SIR-R1 is not available, risk is assessed using professional judgment guided by consideration of the offender’s criminal history risk, criminogenic need level, and reintegration potential (CSC, 2010a). As noted below, for the purpose of referral to correctional programs, the Custody Rating Scale (CRS) score is applied for women and Aboriginal offenders.

Referrals to CSC correctional programs are guided by risk assessment and the level of program intensity is based on level of risk (CSC, 2009a). CSC uses scores from the SIR-R1 as the primary identification of risk for the purposes of program referrals for non-Aboriginal men offenders. For Aboriginal men offenders, CSC uses scores from the Custody Rating Scale (CRS; more information on these scales is available in the Method/Measures section). In cases where an

offender's static risk level does not meet the criteria for referral to a correctional program, supplementary assessment results may establish grounds for an over-ride (CSC, 2010a).

The Present Study

To effectively allocate resources for offender programming, correctional agencies must minimise program redundancy and attrition, improve targeted program delivery, increase continuity with community programming, and respond effectively to the risk and needs of a complex and diverse offender profile (CSC, 2010b). To aid in the achievement of these goals, CSC implemented the National Correctional Program Referral Guidelines (NCPRG) in 2009 (also referred to here as “the guidelines”). The guidelines were also designed to enhance national consistency in correctional program management by establishing a framework for determining appropriate interventions for federal offenders (CD 726, CSC, 2009a). Specifically, the NCPRG articulate correctional program referral criteria and ensure that referrals address offender risk factors, are based on risk assessment, and contribute to safe and timely reintegration of offenders and reductions in recidivism. This framework facilitates differential access to programming based primarily on offender risk and need profiles. In fact, the guidelines state “low-risk offenders will not be referred to... [and]...are not appropriate candidates for Correctional Programs unless they meet over-ride criteria” (CSC, 2009a). Consequently, under the guidelines, a system of discretionary service prioritizes interventions for high-risk offenders and limits access to programming for low-risk offenders.

The scope of the NCPRG is limited to the management of correctional program referrals and delivery; however, policy affecting program availability may present broad implications for offender behaviour and sentence management. Previous research has shown that offender participation in correctional programs in CSC results in positive institutional and community outcomes, including, increased motivation, decreased rates of institutional infractions and a greater likelihood of discretionary release (CSC, 2009b). CSC needs to ensure that creating more stringent criteria for referral to correctional programs, thereby reducing access to programs, does not have a subsequent negative effect on correctional outcomes or release decisions for low-risk offenders. The present research compares the pre-NCPRG low-risk group to the post-NCPRG low-risk offender group on:

- frequencies of institutional charges and admissions to segregation,
- rates of correctional program participation,

- rates of PBC waivers, postponements, and withdrawals,
- PBC decisions,
- proportion of their sentences served before first release,
- release types, and
- returns to custody.

To determine whether trends in the referral patterns started prior to the implementation of the guidelines, an additional analysis examined the longer-term, eight year (32 quarters) trend in referrals of low-risk offenders to the NRCs.

The ICPM was piloted in 2009 in the Pacific region, and therefore referrals to this program suite were not affected by the 2009 changes to the referral guidelines. The ICPM, however, does have referral criteria that specify that participation in programs will be reserved for moderate and high-risk offenders and that low-risk offenders are not appropriate. To assess the adherence of parole officers to this referral policy, this study also examined the trends in rates of referral of low-risk offenders to the ICPM suite of programs over 12 quarter-years (3 years) since their inception.

Although CSC policy discourages participation of low-risk offenders in correctional programs, there are a set of criteria in policy that can allow for exceptions to this policy. To examine whether low-risk offenders referred to programs met the over-ride criteria, a subset of cases were examined to determine whether offenders assessed as low-risk on the SIR-R1 were nevertheless appropriately referred to programs because they met the criteria specified in the CD 726 (CSC, 2009a).

Method

Participants

The study population for the portion of the research that looked at the impact of the implementation of the NCPRG on low-risk offenders included 3,371 men offenders. This represents all low-risk, men offenders admitted to federal custody in the Prairie, Ontario and Quebec regions for the first term of a new sentence between June 30, 2006 and June 30, 2007 for the pre-NCPRG group, and between July 30, 2009 and July 30, 2010 for the post-NCPRG group. Offenders from the Pacific and Atlantic regions had been involved in the ICPM and therefore could not be included in this part of the analysis.¹ Low-risk was defined as SIR-R1 scores of 1 or greater for non-Aboriginal offenders and CRS ratings of minimum for Aboriginal offenders. The SIR-R1 was used to determine risk for 89% ($n=3,016$) of the study sample and the CRS was used for the remaining 11% ($n=355$), frequencies that correspond to the proportion of Aboriginal study participants.

The implementation of the NCPRG took place on July 1st, 2009. The time period of the pre-NCPRG group was selected to allow a sufficient period of incarceration for these offenders to have received programs. A 30-day buffer period following NCPRG implementation was instituted for the post-NCPRG group to allow for operational transition to the guidelines.

Frequencies of offenders by admitting region are presented in Table 1. Of the overall study population, 1,525 (45.2%) were admitted pre-NCPRG and 1,846 (54.7%) were admitted post-NCPRG. This distribution followed expected trends in the overall offender population growth over the same time period. Differences between the groups are presented in the Results section.

¹ ICPM is a stand-alone suite of correctional programs and operates under unique referral criteria.

Table 1

Offender Region at Intake by Study Group

	Pre-NCPRG		Post-NCPRG	
	%	<i>n</i>	%	<i>n</i>
Quebec	29.	443	29	533
Ontario	35	532	38	696
Prairies	36	550	33	617
Total	45	1,525	55	1,846

Note. NCPRG = National Correctional Programs Referral Guidelines.

Measures/Material

All offender information used in the present study was extracted from components of the Offender Management System (OMS), a computerized file management system maintained by CSC to manage information on all federally sentenced offenders. This database includes detailed information on offender demographics, sentence information, criminal histories, criminal history risk ratings, criminogenic need, institutional charges, admissions to segregation, release information, community employment records, and information on returns to federal custody.

Background information was drawn from the Offender Intake Assessment (OIA), a comprehensive assessment conducted with all incoming offenders that includes the assessment of dynamic and static risk factors. A major component of the OIA is the Dynamic Factor Identification and Analysis (DFIA) which was replaced by the revised DFIA (DFIA-R) in September 2009. This measure informs an overall level of criminogenic need (i.e., dynamic risk) categorized into low, medium, or high. The DFIA and DFIA-R are used to develop an offender's correctional plan, with offenders assessed as high risk and high need usually being prioritized for correctional interventions.²

The principal tool used for assessing criminal-risk level and appropriateness of

² It should be noted that generally distributions of ratings on the seven criminogenic need domains are examined. However since the switch to the DFIA-R occurred between the two study group cohorts, the majority of offenders in the Post-NCPRG group (those admitted after August 2009) were assessed under the DFIA-R, while the entire Pre-NCPRG group was assessed by the DFIA. Although the domains captured in the DFIA and DFIR-R are the same for the two measures, the number of individual indicators decreased in the DFIA-R, and the categories of ratings changed. In light of these changes it would not be possible to attribute variation in offender need profiles across the seven domains to true group differences.

correctional programs in federal men non-Aboriginal offenders is the SIR-R1 (Nafekh & Motiuk, 2010). The SIR-R1 is an actuarial scale comprised of 15 empirically-based items. SIR-R1 scores assign offenders to one of five risk groups ranging from very poor (i.e., one out of three offenders is expected not to re-offend) to very good (i.e., four out of five offenders are expected to not re-offend). CSC does not use the SIR with Aboriginal offenders. The estimate of risk for Aboriginal offenders referred to programs is provided through the Custody Rating Scale (CRS; Solicitor General Canada, 1987). The CRS is a 12-item empirically-derived actuarial tool that measures offenders' institutional adjustment and security risk and is used to determine offenders' initial security classification. The SIR-R1 is scored by a Parole Officer during the intake process. The CRS is also completed at intake and is generally informs security classification recommendations.

The primary analysis in the current study identified any potential change in the frequency of correctional program enrolments for low-risk offenders between the pre- and post-NCPRG implementation groups. Additional analyses examined differences between the groups in institutional and community outcomes. Institutional charges and admissions to segregation were included as indices of institutional behaviour. Institutional charges were categorized as either major or minor based on their severity and only charges where the offender was found guilty in institutional court were considered. Admissions to segregation were categorized as involuntary, voluntary, or disciplinary admissions.

Differences between the groups in appearances before the Parole Board of Canada (PBC) and in PBC decisions were examined.³ It is common for eligible offenders to apply for day and full parole on the same occasion and for the PBC to hear both applications concurrently. Here, dual-applications were considered as a single appearance. Where one application was granted and the other denied, the granted application took precedence and was recorded.

³ According to the Corrections and Conditional Release Act (CCRA), all offenders may be considered for a conditional release providing them the opportunity to serve a portion of their sentence in the community under CSC's supervision. When an offender becomes eligible for parole, a hearing is held where the PBC reviews the offender's file and has the authority to grant or deny an offender's conditional release. An offender may choose not to appear before the PBC for a parole review when he or she is eligible. Parole reviews for a conditional release may not take place upon eligibility for various reasons, including waivers (offenders agree to forego their right to see the PBC), postponements, and withdrawals of applications. Should a parole application proceed to the PBC for a review, the PBC may grant, deny, or postpone the application.

Procedure and Analytic Approach

Analyses were categorized into three major areas: (a) offender profile variables (e.g., race, age, sentence length, marital status, education level, criminogenic need profiles), (b) institutional outcomes (e.g., correctional program participation, admissions to segregation, institutional charges), and (c) parole board and community outcomes (e.g., appearances before the PBC, PBC decisions, returns to custody). Chi-square tests of independence and ANOVAs were applied and effect sizes were used to determine the overall strength of association between variables. Cramer's *V* values of .2 or smaller represent weak associations, values of .2 to .4 represent moderate associations, and values larger than .4 represent relatively strong associations (Rea & Parker, 1992). R-squared, the coefficient of multiple determination, is the proportion of variance in one variable explained by a set of independent variables. It is often reported with ANOVA and multiple regression results. For R-squared, values of under .02 represent a small effect size, values up to .13 represent a medium effect size, and values of .26 or greater represent a large effect size (Cohen, 1988).

Results for offender profile variables present frequencies of the entire study population ($N = 3,371$). To control for follow-up time, results for program participation, institutional charges, and admission to segregation analyses considered only those offenders who were incarcerated after admission for the prescribed period of follow-up (6 months or 12 months).⁴ These sub-populations did not differ significantly from the study population on profile characteristics. Results related to PBC appearances are based on all potential parole reviews as mandated by relevant legislation (CCRA, s. 122-123). All potential appearances before the PBC were considered but only the first appearance was examined. Analysis of returns to custody following release considered only those offenders who had the opportunity to return (i.e., those offenders released into the community on conditional or statutory release).

In addition, binary logistic regression was used to examine whether implementation of the NCPRG and other risk variables would predict revocation and revocation with an offence. It should be noted that revocations were examined for an offender's current federal sentence only.

⁴ For an offender to be included in the 6-month and 12-month follow-up analyses, an entire 6- or 12-month period after admission and before release must have been available, respectively. For example, an offender with 7 months between admission and release would have been included in the 6-month analysis but not in the 12-month analysis.

Logistic regression allows one to predict group membership (in this case, revocation vs. no revocation) from a set of predictor variables. As there were no specific hypotheses about the order or importance of the predictor variables, a direct logistic regression was used where all predictors were entered into the model simultaneously. The following predictor variables were included: NCPRG group membership, number of days released, criminal history risk, criminogenic need, employment need, substance abuse need, and learning disability. Logistic regression also allows for the interpretation of coefficients using odds ratios. An odds ratio is the change in odds of being in one of the categories of an outcome when the value of a predictor increases by one unit. Odds ratios greater than one reflect the increase in odds of an outcome with a one-unit increase in a predictor variable, whereas odds ratios less than one reflect the decrease in odds of that outcome with a one-unit change in a predictor variable (Tabachnick & Fidell, 2007). The analysis focused on survival to the first return to custody whether it was with a new offence or due to a breach of parole conditions. Follow-up periods extended beyond an offender's warrant expiry date and concluded with either a return to custody, the end of the study period, or with a another event such as death or deportation.

Results

Offender Profile

Demographic and sentence variables including criminogenic need of the study groups are provided in Table 2. Effect sizes (Cramer's *V*) were used to determine the overall strength of association between variables (values of .2 or smaller represent weak associations, values of .2 to .4 represent moderate associations, and values larger than .4 represent relatively strong associations; Rea & Parker, 1992). Although significant associations between group membership and several of the variables were found, effect sizes were negligible.

Table 2

Demographic and Sentence Characteristics by Study Group

	Pre-NCPRG <i>N</i> = 1,525		Post-NCPRG <i>N</i> = 1,846		<i>V</i>
	%	<i>N</i>	%	<i>n</i>	
Aboriginal status	10	158	11	197	< .01 ^{ns}
Marital status ^a					.08***
Single	40	613	39	718	
Married/common-law	40	606	47	873	
Divorced/separated/widow	20	306	14	254	
Major offence ^b					.07*
Homicide	9	133	7	120	
Sexual	18	265	19	355	
Assault	7	108	7	124	
Robbery	12	183	9	165	
Other violent	5	73	5	97	
Drug	32	486	35	635	
Theft/fraud/break and enter	7	110	7	134	
Other nonviolent	10	125	11	207	
Criminogenic need ^c					.06**
Low	22	308	18	312	
Medium	40	568	45	796	
High	38	530	37	650	
	<i>M</i>	<i>SD</i>	<i>M</i>	<i>SD</i>	<i>R</i> ²
Age at admission	37	12.7	37	13.1	< .01 ^{ns}
Aggregate sentence ^d	3.6	2.4	3.6	2.0	< .01 ^{ns}

Note. NCPRG = National Correctional Programs Referral Guidelines. The number of missing values varied across the variables. Percentages were calculated excluding missing values. ^a*n* = 1 missing, ^b*n* = 21 missing, ^c*n* = 168 missing, ^dCalculation does not include offenders with indeterminate sentences.

p* < .05, *p* < .01, ****p* < .001, ^{ns}non-significant.

Institutional Outcomes

Correctional program participation. Due to the program referral restrictions instituted by the NCPRG, it was expected that program participation among low-risk offenders admitted post-NCPRG would decrease compared to offenders admitted pre-NCPRG. The pre-and post-

groups did not differ practically in the number of enrolments during either period of follow-up (see Table 3). In addition, the pre- and post-NCPRG groups did not differ in their proportion of successful, administrative, or incomplete program outcomes (see Table 3). Overall, results indicate that participation rates in correctional programs were not substantially different between the groups⁵. The largest proportion of enrolments is for moderate substance abuse programs followed by sex offender programs (see Appendix B for further details). It should be noted that some of these enrolments are to programs offered in the community, as is the case for Counterpoint and most sessions of AAA. Thus, participation would not have been expected to delay parole board hearings or release to the community for qualified offenders.

⁵ The guidelines were implemented for sex offender programs later than for other programs. In order to test for whether the lack of difference in the proportion of low-risk offenders in programs post-guideline implementation was related to referrals to sex offender programs the same analysis was conducted omitting these programs (see Appendix A). When sex offender programs are excluded, a smaller proportion of low-risk offenders post-guidelines implementation are referred to programs yet almost 30% of low-risk offenders are still being enrolled in programs.

Table 3

Frequency of Program Enrolments by Follow-up Period and Study Group

	6-months					12-months				
	Pre-NCPRG		Post-NCPRG		<i>V</i>	Pre-NCPRG		Post-NCPRG		<i>V</i>
	<i>N</i> = 1,470		<i>N</i> = 1,807			<i>N</i> = 1,143		<i>N</i> = 1,388		
	%	<i>n</i>	%	<i>n</i>		%	<i>n</i>	%	<i>n</i>	
Enrolments					.02 ^{ns}					.06*
0	81	1,186	81	1,460		57	655	62	856	
1	17	257	17	316		31	353	29	410	
2	2	26	2	31		10	109	7	95	
>2	0	1	0	0		2	26	2	27	
Outcome					.04 ^{ns}					.04 ^{ns}
Successful	92	288	92	347		91	592	91	623	
Administrative	3	8	2	7		3	21	2	15	
Incomplete	5	16	6	24		6	39	7	47	

Note. NCPRG = National Correctional Programs Referral Guidelines. If a single offender was enrolled in multiple programs, all enrolments were considered. * $p < .05$.

Institutional charges. The post-NCPRG group received significantly fewer minor institutional charges during the first six or 12 months after admission than the pre-NCPRG group (see Table 4). This analysis does not determine if this difference was related to the impact of the referral guidelines, other interventions, or to changes to policy on internal security practices. Differences in serious infractions between study groups were not significant.

Table 4

Institutional Charges by Follow-up Period and Study Group

Charge Type	6-months					12-months						
	Pre-NCPRG		Post-NCPRG		<i>V</i>	Pre-NCPRG		Post-NCPRG		<i>V</i>		
	<i>N</i> = 1,470		<i>N</i> = 1,807			<i>N</i> = 749		<i>N</i> = 1,388				
%	<i>n</i>	%	<i>n</i>		%	<i>n</i>	%	<i>n</i>				
Minor											.21***	.07*
0	67	987	83	1,497		67	499	73	1,009			
1	18	267	13	231		15	114	13	176			
2	8	112	2	41		6	49	6	85			
>2	7	104	2	38		12	87	8	118			
Serious											.06 ^{ns}	.05 ^{ns}
0	91	1,341	94	1,693		82	939	85	1,181			
1	7	100	5	88		9	108	8	115			
2	1	21	1	16		3	31	3	39			
>2	1	8	0	10		6	65	4	53			

Note. NCPRG = National Correctional Programs Referral Guidelines. If a single offender was enrolled in multiple programs, all enrolments were considered.

* $p < .05$, ** $p < .01$, *** $p < .001$, ^{ns}non-significant.

Admissions to segregation. Admissions to segregation for low-risk offenders were generally similar for the two groups (see Table 5). Analyses combined involuntary and disciplinary segregation. There was no meaningful difference in admissions to any type of segregation between the two groups.

Table 5

Admissions to Segregation by Admission Type, Follow-up Period, and Study Group

Admission Type	6-months					12-months						
	Pre-NCPRG		Post-NCPRG		V	Pre-NCPRG		Post-NCPRG		V		
	N = 1,470		N = 1,807			N = 749		N = 1,388				
%	n	%	n		%	n	%	n				
Voluntary						.05*						.05 ^{ns}
0	97	1,421	97	1,757		94	1,076	95	1,324			
1	2	41	3	49		5	54	4	59			
2	1	8	0	1		1	11	0	5			
>2	---	---	---	---		0	2	0	0			
Involuntary/ Disciplinary						.05 ^{ns}						.06*
0	92	1,352	94	1,704		85	970	89	1,232			
1	7	104	5	87		12	135	9	121			
2	1	10	1	11		2	26	2	28			
>2	0	4	0	5		1	12	0	7			

Note. NCPRG = National Correctional Programs Referral Guidelines. If a single offender was enrolled in multiple programs, all enrolments were considered.

* $p < .05$, ** $p < .01$, *** $p < .001$, ^{ns}non-significant.

Release Decisions and Correctional Outcomes

Parole waivers and postponements and release decisions. Table 6 presents differences in rates of appearance before the PBC. Although the parole hearing outcomes did not differ substantively between pre- and post-NCPRG groups, the proportion of scheduled hearings that proceeded to the PBC among offenders in the post-guideline implementation were slightly greater than the pre-guideline group. Nevertheless, decisions of granted parole were about 5% lower among the post-NCPRG group. Considered together, it is possible the increase in the proportion of hearings for this group may have contributed to the decreasing grant rate. Other factors affecting this trend, however, cannot be ruled out. Despite slight differences in the proportion of decisions granted parole, Table 7 shows that the two groups did not differ in terms of proportion of sentence served before first release or in the type of first release.

Table 6

Parole Waivers, Postponement and Withdrawals, and PBC Decisions by Study Group

	Pre-NCPRG		Post-NCPRG		V
	%	n	%	N	
Waiver/postponement/ withdrawal					.04***
Delay ^a	33	1,548	29	1,564	
Proceed	67	3,117	71	3,799	
PBC Decisions					.05*
Granted	57	654	52	725	
Denied	36	416	41	580	
Postponed	7	77	7	95	

Note. NCPRG = National Correctional Programs Referral Guidelines. PBC = Parole Board of Canada.

Includes all waivers, postponements and withdrawals

* $p < .05$, *** $p < .001$

Table 7

Proportion of Sentence Served and Type of Release Granted by Study Group

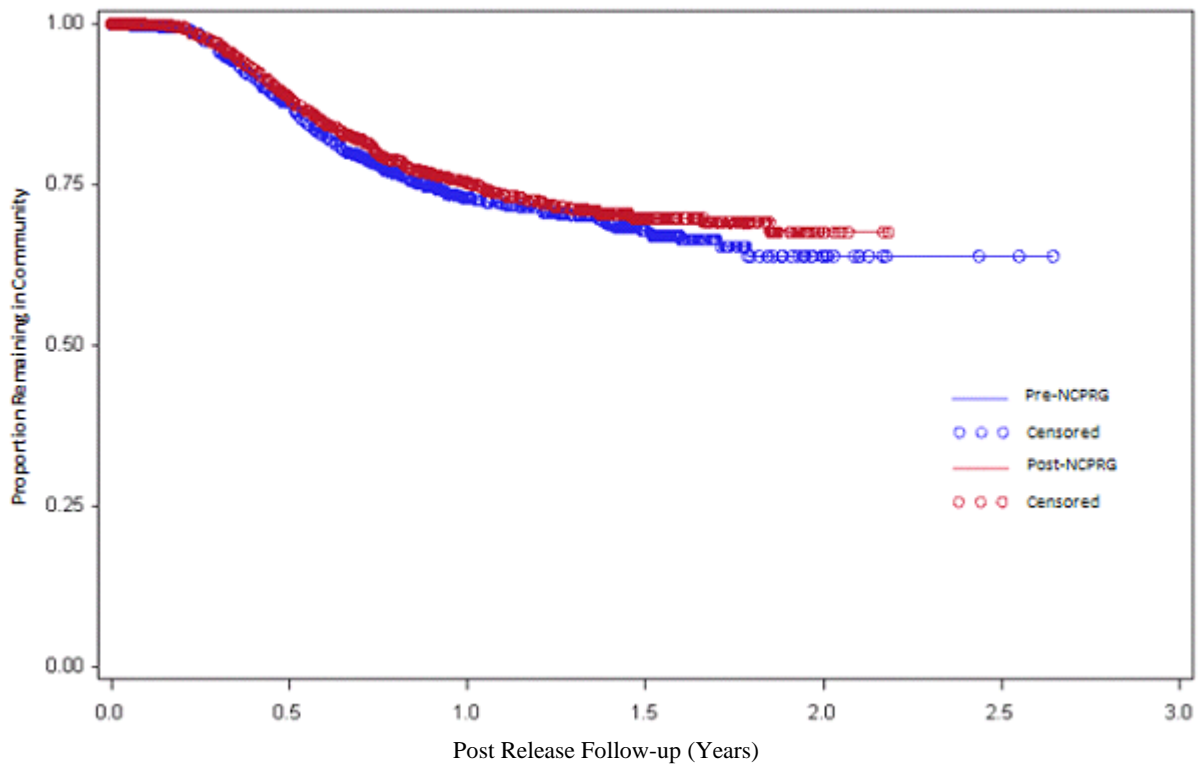
	Pre-NCPRG N = 1,215		Post-NCPRG N = 1,458		R ²
	M	SD	M	SD	
Proportion of sentence served ^a	.51	.19	.49	.17	.003 ^{ns}
	%	n	%	n	V
Release Type ^b					.04 ^{ns}
Day parole	55	796	59	914	
Full parole	4	54	3	51	
Stat release	39	541	37	561	
Sentence end	1	19	1	12	

Note. NCPRG = National Correctional Programs Referral Guidelines ^aExcludes those with life or indeterminate sentences. ^bExcludes those with 'other' release types.

* $p < .05$, ^{ns}non-significant.

Community release outcomes. A survival analysis was conducted to examine differences in outcomes following release between low-risk offenders in the pre-and post-NCPRG implementation groups. Differences on risk profiles between groups were weak, therefore, group membership was the only variable considered in the model. Consistent with other results, study groups did not differ significantly in their rate of return to custody (see Figure 1). The curves show that the proportions of offenders who were successful across the follow-up period were not significantly between the groups at any point during follow-up.

Figure 1. Proportion of Low-risk Offenders Remaining in the Community Following First Release by Study Group

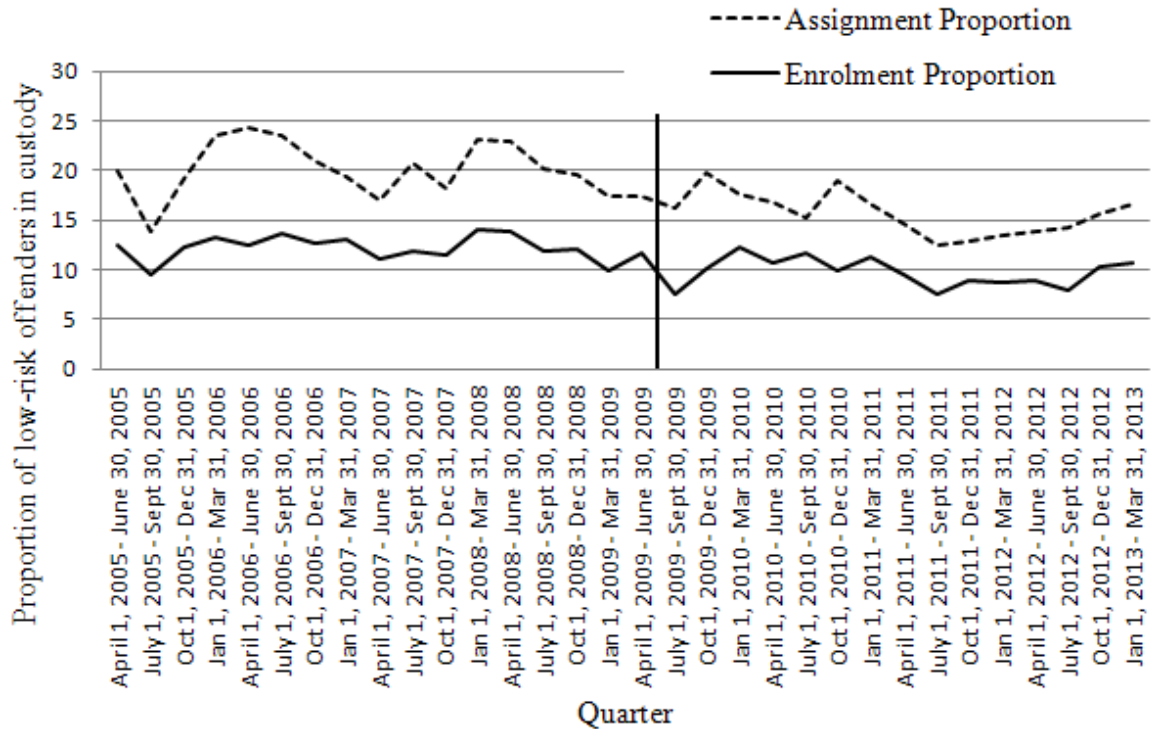


Additional Analyses

Longer-term trends of program assignments and enrolments of low-risk offenders to NRCs. The results of this study raised a number of questions that were explored in additional analyses. First, we examined whether there was a longer-term trend in the reduction of correctional program referrals for low-risk offender which had begun prior to the implementation of the referral guidelines. Figure 2 presents an analysis of the proportion of low-risk offenders assigned or enrolled in a nationally recognized correctional program by quarter beginning on April 1, 2005.⁶ Curvilinear regressions predicting the proportion of offenders with program assignments and enrolments by time of observation period were both significant ($F(1, 30) = 25.1, p < .001, R^2 = .46$; ($F(1, 30) = 21.4, p < .001, R^2 = .42$). This model indicates that the proportion of low-risk offenders with program assignments and with program enrolments significantly decreased over time, starting before the implementation of the guidelines.

⁶ For each quarter, the denominator represents the number of low-risk offenders in custody on the 1st of any month contributing to that quarter. For example, the first quarter on the graph is April 1, 2005 to June 30, 2005. All low-risk offenders in custody on April 1st, May 1st, or June 1st of 2005 contributed to the denominator for that quarter. Each offender with at least one assignment or enrolment to correctional programs during his sentence contributed to the numerator. Offenders in custody in the Atlantic and Pacific regions and offenders referred to ICPM are excluded in this graph. Recall that the new referral guidelines were formally implemented in June, 2009.

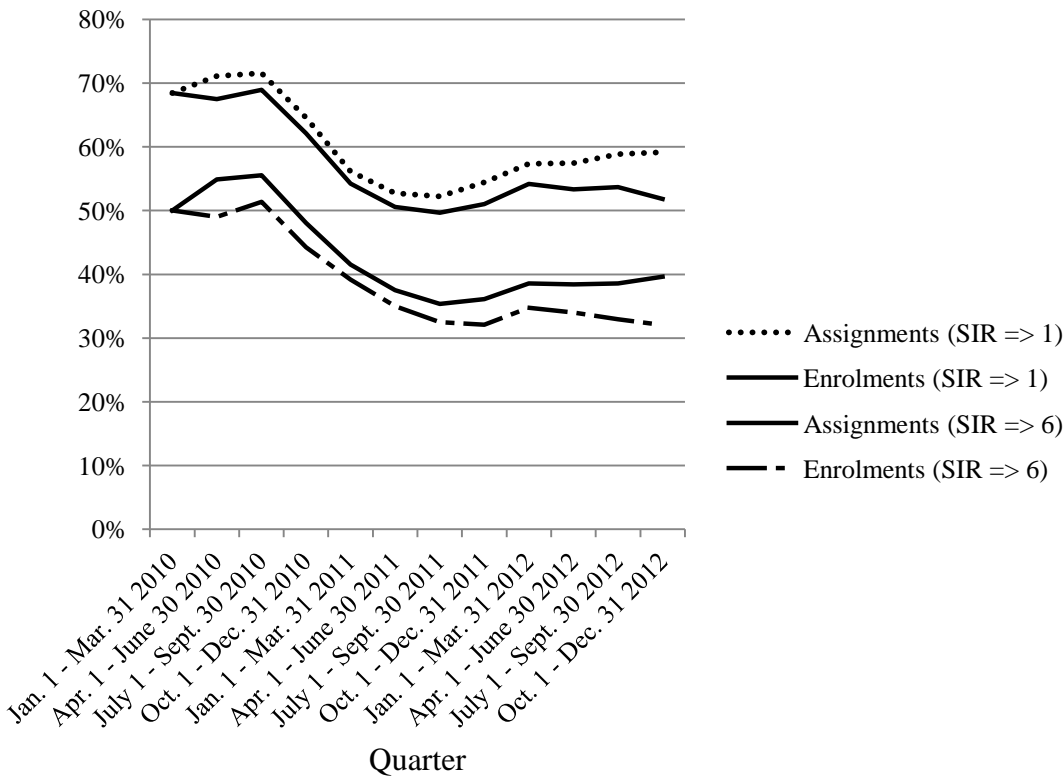
Figure 2. Percent of Low-Risk Offender Program Assignments and Enrolments by Quarter



Low-risk offenders and the ICPM. Although this study focussed on the impact of the new guidelines on referrals to NRCs, it is of interest to also examine the extent to which low-risk offenders participated in the ICPM. This analysis looked at trends in the rates of assignments and enrolments. A pre and post analysis was not possible since the guidelines would not have an impact on the ICPM given it was not implemented until after the guidelines were promulgated.

For this analysis, we defined low-risk as SIR-R1 scores of 1 or greater (as the NCPRG require), but we also defined low-risk as SIR-R1 scores of 6 or greater since this is the criterion used in the ICPM-specific referral guidelines. Figure 3, illustrates trends for ICPM assignments and enrolments when low-risk is defined as $SIR-R1 \geq 1$ and $SIR-R1 \geq 6$. The majority of low-risk offenders (up to 70% according to the NCPRG definition of low-risk) admitted during the initial months of the ICPM were referred to the programs in this menu. Offenders with SIR-R1 scores of 1 to 5 would meet the referral criteria of ICPM, resulting in the higher percent of offenders with the NCPRG definition of low-risk being assigned or enrolled in ICPM. Currently, the proportion of low-risk offenders referred to ICPM has declined and approximately 40% of low-risk offenders as defined by ICPM criteria are assigned to ICPM and 30% are eventually enrolled in ICPM.

Figure 3. Percent of Low-Risk Offenders assigned and enrolled in ICPM by Quarter

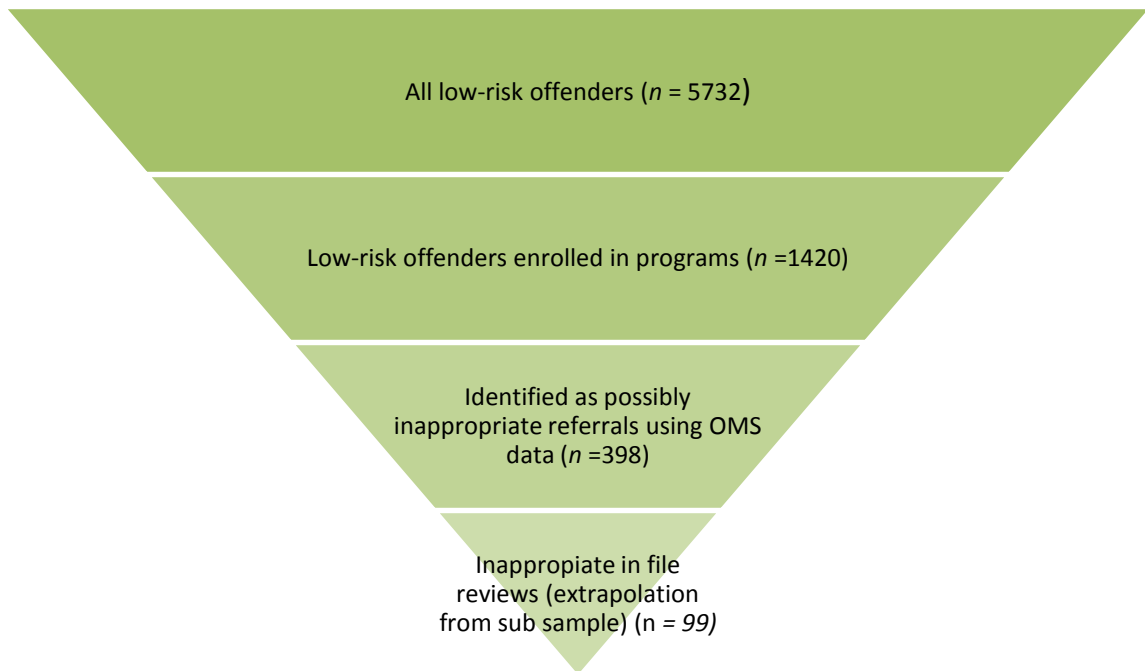


Low-risk offenders who meet the over-ride referral criteria⁷. It is important to note that the referral and enrolment of low-risk offenders in any of the NRCP or ICPM options is not necessarily contrary to policy. Although the guidelines generally discourage referrals of low-risk offenders to programs, over-rides are possible based on offenders meeting specific criteria (see CSC, 2009). The over-ride criteria may differ across programs. To examine the extent to which low-risk offenders meet the referral guidelines over-ride criteria for both the NRCP and ICPM, two analyses were completed. The first used OMS-based variables, or OMS-based proxies for these variables, to assess the presence of over-ride criteria. Results indicated that of 1,420 low-risk, non-Aboriginal, men offenders who enrolled in programs in the period examined (January 1

⁷ This analysis was part of another study examining reintegration potential ratings and program referral over-rides among low-risk offenders (Presentation to the Executive Committee, CSC, December 2013).

2010 - October 31 2013, except for Atlantic region, which was January 1 2011 - October 31 2013 to account for the later implementation of ICPM there), 28% of the referrals did not have supporting over-ride criteria information available in OMS. Accordingly, a number of manual file reviews were conducted to determine if there was evidence that the referral criteria had been met was available in text documents such as judges' reasons for sentencing, correctional plans, or psychological reports. File reviews, of 88 randomly selected offenders from these apparently discordant cases, revealed that only an estimated 25% had no file evidence that they met the referral criteria. Hence, from a large sample of 5,732 low-risk offenders, the final proportion of offenders who are referred to programs and referred inappropriately is very low. The schematic below illustrates the diminishingly small number of potentially inappropriate program referrals for low-risk offenders.

Figure 4. Proportion of Low-Risk Offenders Referred to Programs



Discussion

Overall, the results demonstrate that the implementation of the NCPRG did not have a substantial effect on low-risk offenders on rates of institutional charges, admissions to segregation, PBC waivers, postponements, or decisions, proportion of sentence served, type of conditional release granted, or recidivism. Notably, there was a slight reliable difference in minor institutional charges in the first 6-months of incarceration between the pre- and post-NCPRG groups, with the post-NCPRG group having fewer minor charges than the pre-NCPRG group. This effect sharply reduced, however, when the follow-up period was extended to 12-months. Despite the new guidelines being developed in part as an effort to focus programming on the higher risk offenders, there was only a slight significant reduction in the proportion of low-risk offenders who were enrolled in programs within 12 months of admission post-NCPRG implementation. The pattern pointing to a slight reduction in the proportion of low-risk offenders in program appears to have begun prior to the implementation of the guidelines.

There are several potential explanations for the findings. It is possible that more time would have been required to note an actual operational change in practice following policy implementation, although we hoped to account for an expected delay by introducing a one-month lag between implementation and selection of the timeframe for the study.

It is also possible that the reason low-risk offenders continue to be enrolled in programs is that the referral framework prior to NCPRG implementation had already formalized efforts to prioritize programming for high-risk offenders, and therefore, participation levels would not be expected to differ significantly among low-risk offenders after their implementation. In addition, the NCPRG allow for referral over-rides in the event that low-risk offenders meet threshold criteria based on supplementary assessment scores or other key variables. These supplementary assessments include such measures as history of violence, risk of spousal violence, risk of sexual recidivism, and degree of substance abuse and drug dependency. The assessments often verify a need for programming based on criminogenic need that actuarial tools like the SIR-R1 and the CRS do not reflect. Indeed, the additional analyses examining whether low-risk offenders meet the over-ride criteria suggested that, on a closer examination of the files, the majority, in fact, are appropriate referrals both to the NRCPs and the ICPM. Although the NCPRG formalizes much of the referral process, a certain degree of professional judgement remains in the hands of parole officers. During their assessments and interviews with offenders, they may be detecting a need

for interventions that is not reflected in the results of standard measurement tools.

RNR-Effective Corrections

The referral criteria for the NCPRG and the ICPM are consistent with the risk principle, which maintains that higher levels of service should be reserved for higher risk cases. Targeting high-risk offenders for programming furthers public safety goals and produces greater returns on resource investment. The benefits of programming for low-risk offenders, however, are less well-established. Lower risk offenders have low-base rates of re-offending making it less likely that a treatment effect will be detected. In fact, some research has suggested that correctional programming can be criminogenic, rather than protective, for low-risk participants (Bonta & Andrews, 2007). Nevertheless, risk should be considered not only based on static factors, but also on the level of criminogenic need (i.e., dynamic risk). A significant percentage of offenders defined as low-risk on the SIR-R1 or the CRS continue to be referred to programs, and this appears to reflect a level of criminogenic need detected in the case analysis conducted by parole officers. By enabling low-risk offenders to bypass referral restrictions via supplementary assessment (e.g., measures of spousal and sexual assault risk, or drug abuse and alcohol dependency), CSC correctional practice respects the RNR principles.

Limitations and Further Research

The current research assessed low-risk offenders as a homogenous group based on the result of the SIR-R1 for non-Aboriginal offenders and CRS for Aboriginal offenders. It is possible that outcomes of the study may be different for some subgroups. For example, sex offenders represent a unique offender group that is subject to an additional battery of specialized assessments. Offenders with histories of serious partner assault or homicide may also have low-risk ratings on the SIR-R1, but be determined to be in need of intervention based on the specialized assessment and the seriousness of their offences. Disaggregation of the low-risk offender population may uncover unique patterns of program referrals by offender sub-groups that may be differentially affected by program referral patterns and program participation. Furthermore, program enrolment may be affected by aspects of sentence management, such as sentence length and program availability. This study did not assess the impact of these potential factors.

At this time, the proportion of low-risk offenders referred to correctional programs

appears to have remained substantially the same since the implementation of the guidelines. Outcomes of low-risk offenders since the implementation of the guidelines remain constant, and low-risk offenders who were referred to the programs, for the most part, appropriately meet the over-ride criteria specified in policy.

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Appendix A

Table A1

Frequency of Program Enrolments, Excluding Sex Offender Programs, by Follow-up Period and Study Group

	12-months				V
	Pre-NCPRG		Post-NCPRG		
	N = 1,143		N = 1,388		
	%	<i>n</i>	%	<i>n</i>	
Enrolments					.07**
0	65.6	750	71.5	992	
1	24.4	279	21.5	299	
2	8.1	92	5.5	76	
>2	1.9	22	1.5	21	

Note. ** $p < .01$.

Appendix B

Table B1

*Post-Implementation Program Enrolments within 12-Months of Admission, by Program Type
(n=660)*

Program category	Program sub-category	%	n
Substance Abuse	High	0.3	2
	Moderate	30.5	209
	Booster	1.2	8
	Maintenance	3.8	26
	Aboriginal	6.7	46
Sex Offender	High	1.5	10
	Moderate	15.5	106
	Low	1.5	10
	Maintenance	1.5	10
	Aboriginal	0.9	6
Violence Prevention	Moderate	8.6	59
	Maintenance	0.2	1
	ISOYW	1.3	9
Family Violence	High	0.2	1
	Mod	8.6	59
	Maintenance	0.2	1
	Aboriginal high	0.2	1
Living Skills	Community integration	1.5	10
Other	Basic healing	3.9	27
	AAA	5.1	35
	Counterpoint	3.5	24

Note. ISOYW = In Search of Your Warrior Violence Prevention Program.