

**MINISTRY OF JUSTICE  
CORRECTIONS BRANCH  
BRIEFING NOTE**

**PREPARED FOR:** The Honourable Suzanne Anton  
Minister of Justice and Attorney General  
**FOR INFORMATION**

**ISSUE:**

Okanagan Correctional Centre (OCC) Not responsive

**BACKGROUND:**

To advise on the impacts, issues and proposed actions relating to the construction of the secondary access road to the OCC facility.

**DISCUSSION:**

- In December 2012, Treasury Board approved proceeding with the OCC project as a public-private partnership (P3).
- The 378-cell facility will be constructed within the Osoyoos Indian Band's (OIB) Senkulmen Business Park, on Highway 97 five kilometres north of Oliver.
- In February 2013, the lease agreement for a 36-acre parcel of land within the business park was signed by the province, the OIB and the federal government.
- The OCC site is directly adjacent to a narrow strip of provincial park land (part of Inkaneep Provincial Park), which separates the business park from Tucelnuit Drive.

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Not responsive

**Current Status**

- The facility project is currently in the procurement phase. The P3 partner will be announced in early 2014, with construction starting shortly thereafter. The facility will be completed in 2016.

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Not responsive

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## Considerations

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Not responsive

## Proposed Responses

### 1. Secondary access road construction – August 2013

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- s.13
- Information will be shared regarding the timing, impacts and mitigation efforts, such as disturbance of natural habitat, traffic control and dust control.
- The construction is expected to be completed in a relatively short timeframe, ie. from August 6<sup>th</sup> to September 10<sup>th</sup>, therefore local impacts will be temporary.

### 2. OCC facility construction – 2014 to 2016

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- Communications with the local community related to local impacts during construction will primarily be the responsibility of the P3 partner within the terms of the project agreement.
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Not responsive

Not responsive

### 3. OCC operations – 2016 onward

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Not responsive

#### **Prepared by:**

David Friesen  
Finance Manager, Capital Projects  
Corrections Branch  
250.387.5991

#### **Approved by:**

Brent Merchant  
Assistant Deputy Minister  
Corrections Branch  
250.387.5363

**MINISTRY OF JUSTICE  
CORRECTIONS BRANCH  
BRIEFING NOTE**

**PREPARED FOR:** Minister Shirley Bond  
**FOR INFORMATION**

**ISSUE:**

Okanagan Correctional Centre - 18 Cell Women's Unit

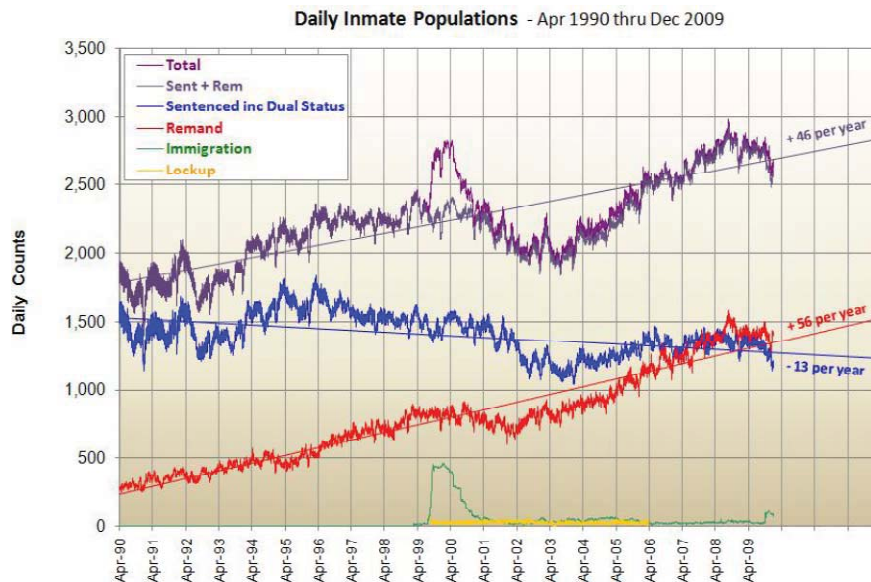
**BACKGROUND:**

Cost

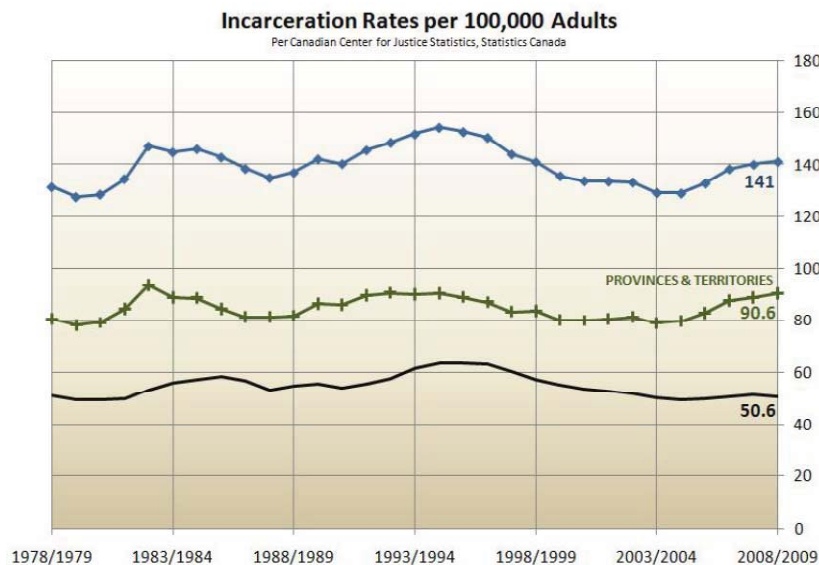
- The addition of an 18 cell women's unit to the Okanagan Correctional Centre (OCC) project results in a capital cost of approximately s.17 if built as part of the overall OCC project.
- The cost to add this space at a later date is expensive. For example, in 2010 a 20 cell women's unit was added to the Prince George Correctional Centre (PGRCC) at a cost of \$11.5 million.

Population Forecast Methodology

- The population of women in custody is small and, as a result, forecasting population trends are difficult.
- Analyses have shown that, while the size of the inmate population varies seasonally and wavers somewhat from year-to-year, there is constant direction throughout the longer trend. This longer trend indicates growth. Given the forecasts for the first two years of the planning horizon, forecasts for the following eight years assumed that the incarceration rate resulting for year two from the short and intermediate forecasts would continue at a static rate for the long term. The calculated rate is a conservative 78 inmates per 100,000 adults provincially. Such assumptions are based on "all else being equal". Effects of legislative and policy changes are not included in the forecast.



- Nationally, Canada currently (2008/09) incarcerates at a rate of 141 inmates per 100,000 adults. This figure is composed of more than 50 federal inmates per 100,000 and about 91 provincial inmates. The total was as high as 154 and as low as 128 per 100,000. The federal rate has declined since its peak of 64 per 100,000 in the mid-1990s. While the provincial rate declined for a period, it has since increased to the levels of the mid-1990s.



- In 2008/09, provincial incarceration rates across Canada averaged about 91 per 100,000 adults. This is an increase from 79 per 100,000 five years earlier—a 24 year low.



- For the past 20 years, BC's provincial incarceration rate has been well below the average for all provinces, and continues to be so. In 2008/09, the average for all provinces was about 91 while BC's rate was 81 per 100,000 adults.
- BC's provincial incarceration rate was as high as 96 per 100,000 in 1982/83. If it was that rate today, there would be about 690 more inmates in provincial jails. If BC's rate was equal to the current average for all provinces of 91 per 100,000, there would be about 500 more inmates in BC's provincial jails.

#### Current Status for Women

- The central location for holding women offenders is at Alouette Correctional Centre for Women (ACCW) in Maple Ridge. The security, programs and services required by women are different than that needed by men. As a result of the lower overall number of women in custody, having them centralized allows the Branch to offer specialized programs and services specifically developed for women. Even the staffing format is different for women – no supervising males are allowed in their living areas whereas in male centres female officers are allowed to supervise the male inmates throughout the centre and within their living pods.
- PGRCC holds a limited number of sentenced and remanded women. This was designed so that women offenders in the north would not have to be transported to the lower mainland while their court cases were being heard or while their custodial sentences were being addressed. This same rationale applies to OCC.

- The overall inmate population in BC experiences its lowest average daily counts between November through to the end of January each year. This seasonal trend has been in place for over 30 years.
- As of November 23, 2012, 180 women are housed at PGRCC (21) and ACCW (159), occupying 83% of the 217 cells available. It should be noted that in September 2006 there were 236 women in custody.
- The catchment area for females for OCC includes Castlegar, Cranbrook, Creston, Golden, Grand Forks, Kamloops, Kelowna, Nelson, Penticton, Princeton, Rossland, and Vernon.
- The proportion of females in the OCC catchment area is 20% of the total female inmate count which as of November 23, 2012 equals 36.

#### Women's Cell Usage of OCC Upon Opening in 2016

- If an 18 cell women's area was included in the OCC project, three factors would influence the population size upon opening of OCC in 2016:

Keep of Prisoners

Legislation - Bill C10

Increasing incarceration due to population growth

#### Keep of Prisoners (KOP)

- Police lock-ups hold provincial prisoners and in exchange are reimbursed by government through the Corrections and Police Services Branches. The current rate is equivalent to \$170 per provincial prisoner per day.

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s.16

- The average daily count for females being held in police lock-ups from the courts within the OCC catchment area averages eight women. Daily peak counts are higher.

- Of an 18 unit space for women at the proposed OCC, 8 beds would automatically be filled just by the KOP numbers at the time of that centres opening in 2016.
- The table below captures the current average daily female count in each of the following police lock-up within the catchment area of OCC:

Court Location	Castlegar	Cranbrook	Creston	Grand Forks	Kamloops	Kelowna	Nelson	Penticton	Vernon	TOTAL AVG
Average number of women	0.03	0.37	0.07	0.30	4.70	0.97	0.50	0.37	1.10	<b>8.4</b>

#### Legislation – Bill C-10

- Federal criminal legislative changes have impacts on provincial and territorial jurisdictions.
- Bill C-10 was passed and is currently being enacted this year. The Bill will have an impact on BC Corrections, but the level of impact is influenced by the following assumptions:
  - Current crime rates remain the same.
  - Staggered implementation approach.
  - Judicial behaviour remains consistent and is predictable by past sentencing patterns.
  - Crown and defence behaviour remains consistent and is predictable by past sentencing patterns.
  - Sentence lengths are determined and administered without regard to ‘provincial’ versus ‘federal’ time.
  - Policing patterns and the number of available police on any given day remains consistent.
  - Bail hearings, plea rate behaviour, and lengths of stay on remand remain consistent.
  - Past inmate and client counts, length of time on remand and/or bail, and sentencing rates are appropriate tools to predict future counts.
  - Rates of past convictions for offences subject to mandatory minimum sentences under Bill C-10 remain consistent and are an appropriate tool to predict future rates.
  - The increase in counts over the past five years does not bias the predictive analyses.
  - That all individuals who would have been given a conditional sentence order or suspended sentence and probation are now given jail time (related to the former Bill C-16).

- Bill C-10 is expected to increase the average daily inmate count in BC by 140 to 173 individuals of which 30 will be women. This will result in an increase of 30 net new women being held in custody. Of that amount 20% (6 women) will be from the OCC catchment area. This also means that the two other women's facilities will see a net new daily count increase of 24 women due to Bill C-10.
- These numbers might be higher given that the sentencing patterns of clients who received Conditional Sentence Orders (CSOs) from 2007 to 2009 for the offences no longer eligible for a CSO show that 19% were female while 81% were male.

#### Increasing Incarceration Due To Population Growth

- The numbers below have also taken into consideration the increasing incarceration due to the population growth of the province.
- Historically that rate has seen increases on average of 2% per year. Projecting this rate to the opening of OCC in 2016, and based on the inmate population of November 23, 2012, the Corrections Branch would see a provincial net new increase of 18 women of which four women would be from the OCC catchment area.
- When BC Stats conducted their analysis of population growth, their forecast also confirmed the four women increase due to population growth.

#### Cell Demand for Women at OCC in 2016

- Based on the information above, the demand for cell space for women, once OCC opened in 2016, would be:

Keep of Prisoners:	8
Bill C-10 Impact:	6
Population Growth:	4

TOTAL NET NEW DEMAND: 18 or 100% of cell capacity with women at OCC in  
2016

There is a need for a women's area within the OCC building and that area would see immediate use once the facility was opened.

#### **Approved by:**

Brent Merchant  
Assistant Deputy Minister  
BC Corrections Branch  
250-387-5364



**MINISTRY OF JUSTICE  
CORRECTIONS BRANCH  
BRIEFING NOTE**

**PREPARED FOR: Minister Shirley Bond, Minister of Justice, Attorney General  
FOR INFORMATION**

**ISSUE:**

Surrey Pretrial Services Centre Expansion Project update

**BACKGROUND:**

- In June 2011, the province entered into a public-private partnership agreement with Brookfield Infrastructure Partnerships Surrey (BIPS) for the expansion and renovation of the pretrial facility.
- Under the P3 agreement, BIPS will design, build and partially finance the expansion and renovation, and maintain the entire facility for the following 30 years.
- The project will add 216 much-needed cells to the provincial inmate capacity, as well as other ancillary space, eg. for health care, inmate programs and staff services.
- Construction began in the fall of 2011 and is on schedule for completion in the fall of 2013.
- This is the final project of phase one of the Corrections Branch's \$185 million capital expansion program which was approved by Treasury Board in November, 2007.

**DISCUSSION:**

- The Corrections Branch is the primary liaison with the City of Surrey. Project related communications and media relations are coordinated by Corrections, with input from Partnerships BC on procurement matters.
- In April 2012, the first bi-monthly Project Liaison Committee Report was distributed to members of the committee, including the Mayor of Surrey and local MLAs.
- On April 20, 2012, the Deputy Solicitor General and the Chief Project Officer (Tedd Howard) met with the City Manager (Murray Dinwoodie) to discuss the project. No concerns issues were raised and it was agreed that the project was progressing without delay and to the satisfaction of both the City of Surrey and the Ministry of Justice.

**Prepared by:**  
Tedd Howard  
Provincial Director  
Corrections Branch  
604.368.1844

**Approved by:**  
Brent Merchant  
Assistant Deputy Minister  
Corrections Branch  
250.387.5364

**MINISTRY OF JUSTICE  
CORRECTIONS BRANCH  
BRIEFING NOTE**

**PREPARED FOR: Brent Merchant, Assistant Deputy Minister  
FOR INFORMATION**

**ISSUE:**

Okanagan Correctional Centre (OCC) P3 Project Update

**BACKGROUND:**

- On December 5, 2012, Treasury Board (TB) approved proceeding to procurement.
- On December 12, 2012, the Request for Qualifications (RFQ) to select three proponent teams was issued.
- On February 5, 2013, the RFQ closed and seven responses were received. Evaluations began immediately.
- On March 19, 2013, the three shortlisted proponent teams will be publically announced and the Request for Proposal (RFP) will be issued.
- In the December approval, TB directed that the following condition be satisfied prior to issuing the RFP:

*Prior to issuing the Request for Proposals (RFP), JAG must report to the Secretary of Treasury Board confirming that the land access and tenure agreement is signed and to seek approval of a negative scope ladder.*

**DISCUSSION:**

- The land access and tenure agreements have been signed and a negative scope ladder has been developed and approved by the Project Executive Board.
- Approval of the negative scope ladder has been requested by March 8, 2013 to ensure the RFP may be issued by March 19, 2013, in accordance with the project schedule.
- The indicative design and capital cost estimate have been further refined since the December 5, 2012 TB approval. The project remains within budget.

## Project Schedule

Activity	Date
Three proponent teams announced / RFP issued	March 19, 2013
RFP process completes; preferred proponent team announced	October, 2013
Contract negotiations complete	December 2013
TB approval of final Project Agreement / Financial Close	January 2014
Construction starts	February 2014
Construction complete	August 2016
Facility operational / inmate move-in	October 2016
End of 30-year operating term	July 2046

## Project Measures

	Description	Dec 2012 approval	Mar 2013 update	Comments
1	Number of cells	378	Confirmed	Includes Nov 30th Women's Unit TB decision
2	Base interest rate assumption	s.17	Confirmed; slight increase	Minor rate increase in assumption from Provincial Treasury
3	Affordability Ceiling Notional Loan Interest Rate		Confirmed; slight increase	Minor rate increase in assumption from Provincial Treasury
4	Affordability Ceiling		Confirmed	Within the standard +/- 15% of Class C cost estimate
5	Maximum project capital cost		s.17	Within the standard +/- 15% of Class C cost estimate; Sheriff Services capital approval deferred
6	Maximum provincial funding of up to s.17 of P3 contract costs (excl financing fees and IDC)		Confirmed with minor reduction	Reduction due to relocation of Site Development Charges (procurement outside of PPP contract)
7	IDC operating charge to MPD vote		Confirmed with minor reduction	Same as item 6, above
8	Estimated annual cost of site services agreement with OIB		s.17	No change. To be confirmed at Financial Close when operating costs updated.
9	Approval in principle of operating costs in 17/18, the first full year of operations			Reduced by Sheriff Services operating s.17 and Women's Unit operating s.17 )

**Prepared by:**

Dave Friesen

Finance Manager, Capital Projects

Corrections Branch

250.387.5991

**Approved by:**

Brent Merchant

Assistant Deputy Minister

Corrections Branch

250.387.5363

**MINISTRY OF JUSTICE  
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BRIEFING NOTE**

**ISSUE:** Rotational Lockup in Correctional Centres

**MINISTRY'S SUGGESTED RESPONSE:**

- Staff safety is our number one priority and we take any and all incidents of violence in our facilities very seriously.
- Corrections Branch does not support rotational lockup as a means to control aggressive, violent behaviour in the inmate population.
- Rotational lockup is contrary to our goal of providing programming and rehabilitation for inmates and can lead to the potential for more friction developing within the inmate population, and between inmates and correctional officers.

**CURRENT STATUS:**

- Corrections Branch does not currently employ rotational lockup strategies.
- The supervision of inmates in units is accomplished through direct and indirect supervision, as well as through technology including pod control and cameras and the use of two-way radios and personal alarms.

**BACKGROUND:**

- The Corrections Branch staffing model is based on flexibility and movement.
- Officers in living units are supported by other staff throughout the centre who walk in and out of units as they go about their duties.
- Security measures and building design also contribute to the safe management of the inmate population.
- Since 2007, adult custody has hired an additional 240 officers to enhance supervision in correctional centres across the province.
- Risk assessments are utilized to determine the placement of inmates in appropriate living units and separate non-compatible inmates..
- Inmates who routinely exhibit behaviours or participate in activities that are detrimental to the operation of a correctional centre, or are likely to endanger others or themselves, may be classified to an enhanced supervision placement resulting in being confined in their cells for longer periods.
- Rotational lockup will not eliminate assaults on correctional officers.

- Rotational lockup practices in other Canadian correctional jurisdictions have shown that there is an increase in inmate tensions from being double-bunked in cells for longer periods of time.
- Rotational lockup practices increase the workload of staff because the inmates that are locked in cells require access to meals, health care and visits which must be facilitated by staff.
- Staff are required to monitor the inmates who are locked up as well as the inmates who are out of their cells.
- Rotational lockup may build an oppressive environment by treating every inmate the same way based upon the behaviour of the worst inmate.
- Rotational lockup practices are contrary to the principle of establishing a least restrictive correctional environment and they reduce opportunities for providing rehabilitative resources to inmates.
- Rotational lockup practice generates court applications for enhanced credit during sentencing due to the increase in time locked down.

### **Other Jurisdictions**

- A review of practice in other Canadian correctional jurisdictions shows that three provinces utilize rotational lockup (Alberta, Saskatchewan and Ontario).

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**Contact Person:** Myrna Luknowsky  
**Telephone** 250 387-8672  
**Date:** June 29, 2012