

**PROTECTED B**



Correctional Service  
Canada

Service correctionnel  
Canada

Parole Board  
of Canada

Commission des libérations  
conditionnelles du Canada

**PROTECTED B**  
**1411-1-20-01-23-390 (CSC)**  
**3446-2-GALLESE (PBC)**

**CORRECTIONAL SERVICE CANADA**

**PAROLE BOARD OF CANADA**



**Correctional Service of Canada–Parole Board of Canada  
National Joint Board of Investigation  
into the Release and Supervision of an Offender on Day Parole  
Charged in Relation to a Serious Incident in Sainte-Foy, Quebec,  
on January 23, 2020**

**Incident Investigations Branch, CSC  
Professional Standards Section, PBC**

*The use of this information by any person other than the recipients, including distributing, copying or disclosure, is strictly prohibited and may be unlawful.*

**PROTECTED B**

**TABLE OF CONTENTS**

INTRODUCTION	1
EXECUTIVE SUMMARY	2
INCIDENT INVESTIGATION PROCESS AND METHODOLOGY	9
FOCUS OF THE INVESTIGATION	11
CONTEXT	13
BACKGROUND INFORMATION	18
CHRONOLOGY OF EVENTS	23
CORRECTIONAL SERVICE OF CANADA FINDINGS	32
PAROLE BOARD OF CANADA FINDINGS	86
CONCLUSION	101

**Annex A**

Listing of Recommendations

**Annex B**

Convening Order and Investigation Areas

**Annex C**

Policy and Reference Citations

*The use of this information by any person other than the recipients, including distributing, copying or disclosure, is strictly prohibited and may be unlawful.*

**PROTECTED B**

## **Introduction**

*The Board of Investigation would like to extend its sincere condolences to Marylène Levesque's family and friends.*

**PROTECTED B**

## **EXECUTIVE SUMMARY**

On January 22, 2020, at approximately 11:34 p.m., the offender, Eustachio **GALLESE** (Fingerprint Section (FPS) N [REDACTED]), arrived at the police station in the borough of La Cité-Limoilou in Québec City to report that he had murdered a woman. On January 23, 2020, around 1:15 a.m., the Québec City Police Service contacted the Maison Painchaud Community Residential Facility (CRF) to inform the caseworkers that **GALLESE** was under arrest. Around 1:20 a.m., the Maison Painchaud CRF contacted Correctional Service of Canada's National Monitoring Centre (NMC) to share the information received from the investigator. Around 1:25 a.m., the NMC contacted the investigator to get more details about the reason for the arrest. During this call, the NMC was informed that **GALLESE** would be charged with homicide. Following the police investigation and the laying of charges, on February 27, 2020, **GALLESE** pleaded guilty to a first-degree murder charge and, that same day, was sentenced to life in prison with no chance of parole for 25 years.

According to the Agreed Statement of Facts dated February 24, 2020, on January 22, 2020, at around 5:47 p.m., **GALLESE** had met with the victim, Marylène Levesque, at a hotel restaurant in the borough of Sainte-Foy, in Québec City. He had bought a knife a few days before the incident, and was concealing it in his coat when he went to meet the victim on the night of the incident. Once in the hotel room, **GALLESE** stabbed the victim several times. Her death was pronounced by the paramedics at 12:08 a.m. on January 23, 2020.

On February 3, 2020, the Correctional Service of Canada (CSC) and the Parole Board of Canada (PBC) convened a national joint investigation into the incident to demonstrate accountability, responsibility and transparency, and to enhance their ability to contribute to the safety of the public, staff and offenders. The Board of Investigation (BOI) was to specifically analyze the issues raised in the convening order and the areas of investigation. To carry out this task, the BOI conducted a comprehensive review of **GALLESE**'s file and all documents used for decision-making. The BOI analyzed the offender's profile and whether there were pre-incident indicators, precipitating events or contributing risk factors; the case preparation for his release; the quality of the offender's supervision in the community; the

## PROTECTED B

caseworkers' level of training and compliance rate; the quality of clinical supervision including document quality control; the direct offender supervision practices of CRF partners; and the quality of communications and sharing of information among relevant agencies and/or individuals. The BOI reviewed both decisions rendered by the PBC in 2019 and listened to audio recordings of the hearings to examine the Board members' rationales for the decisions to grant and continue the initial day parole and to impose special conditions to the release. The BOI also examined the quality and completeness of the information available to the PBC that may have influenced the risk assessment, as well as any issues related to the PBC's legislation and policies, operations and training provided to Board members.

Based on the BOI's findings, five recommendations were made to optimize CSC's practices related to the supervision of offenders in the community.

The BOI found that there were many pre-incident indicators of disorganization in **GALLESE**'s emotional management that were directly related to his offence cycle. The case management team (CMT) did not adequately assess these indicators and therefore was unable to give them the attention needed to implement the interventions required for better risk management.

The victim's refusal to have a romantic relationship with **GALLESE** and his inability to control her caused him to feel rejection, anguish, anxiety and jealousy. The BOI perceived these elements, of which **GALLESE**'s CMT had been unaware, to be what precipitated the incident.

The BOI found that the visits to a massage parlour for sexual purposes on more than one occasion, three of which were authorized by his CMT, were a contributing risk factor in the incident given the offender's history of domestic violence.

The BOI found that the case preparation that resulted in the offender's release was structured and based on a progression of consistent and timely correctional interventions in accordance with the offender's needs and contributing factors. Case preparation was consistent with

## PROTECTED B

policy and met the criteria of the general principles of gradual reintegration into the community.

The BOI determined that there were shortcomings in the collection of information in **GALLESE**'s file, resulting in the absence of information from official sources from the police, the courts and the provincial correctional service. The BOI also found that the policy for naming documents required for information collection and updating the collection was confusing.

**Since the current policy on information collection is vague with regard to the list of source documents required and the process to update the collection, the BOI recommends that CSC revise Commissioner's Directive 705-2 – Information Collection to: a) define a serious offence; b) specify the documents required, including source documents such as trial transcripts for sentenced offenders with a history of violent offences as set out in Schedule I of the *Corrections and Conditional Release Act*; and c) ensure a mechanism for monitoring information collection throughout the sentence.**

The BOI found that the CMT underestimated the offender's likelihood of developing an emotional connection with an employee at a massage parlour for sexual purposes and the need to intervene accordingly. In addition, the BOI found that, due to major shortcomings with regard to caseworkers' verification of information with collateral contacts, the risk posed by the offender, as well as the special and standard conditions to which he was subject on his release, could not be adequately managed.

**Given the shortcomings in terms of contact with collateral contacts and the fact that most of what the offender reported was not corroborated by the CMT, thereby impacting risk management, the BOI recommends that CSC revise Commissioner's Directive 715-1 – Community Supervision to include a quality control mechanism with a network of collateral contacts.**

## PROTECTED B

The BOI found that all the caseworkers involved in **GALLESE**'s case management met the essential qualifications in terms of academic training. Both CSC and Maison Painchaud CRF caseworkers met the respective requirements for continuous and mandatory training.

Consequently, the BOI found that the continuous training and compliance requirements of these two organizations differed considerably from each other, creating a major discrepancy between the quality of training required for Maison Painchaud CRF clinical workers and CSC parole officers (POs). In addition, the BOI found that there was no recent and ongoing training on domestic violence in the training plan for CSC case management workers.

**Since specific training on domestic violence, which is essential for good risk management, is not an integral part of parole officer training, the BOI recommends that CSC integrate training on domestic violence into the Parole Officer Induction Training (POIT) and that this training be offered during the Parole Officer Continuous Development (POCD) training.**

The BOI concluded that the quality of the clinical supervision by the caseworkers was deficient, particularly with respect to follow-up responsibilities associated with the role of clinical workers. The BOI noted that the caseworkers' roles and responsibilities at both organizations were not clearly established. It observed that the quality control of documents was done in accordance with the standards set out in the contract agreement.

The BOI was not able to determine the quality of the content of the case conferences because the policy in place is unclear and non-binding regarding the specific content of the case conferences. Discussions held during these case conferences did not identify any major deficits in **GALLESE**'s supervision or an elevated risk in time to implement the necessary interventions.

**Since the case conferences did not help in identifying major shortcomings in the offender's supervision, the BOI recommends that CSC develop a case conference instrument that includes minimum indicators.**

## PROTECTED B

The BOI found that the direct supervision of offenders by the Maison Painchaud CRF was not at the same level as that conducted by CSC. Caseworkers at the CRF did not receive the same training CSC provides to its POs and did not benefit from the guidance or clinical supervision provided by parole officer supervisors (POS). The BOI noted that despite the contract agreement between the two organizations, there was much confusion regarding the caseworkers' roles and responsibilities on the file at both CSC and the Maison Painchaud CRF.

While all the caseworkers agreed on CSC's accountability for final decisions, the sharing of responsibilities with respect to risk management strategies and the quality of supervision activities lacked clarity and direction.

**Given the communication problems between the organizations, the complex decision-making hierarchy, and the disparity in training requirements, the BOI is of the opinion that the offender's supervision did not meet the minimum expectations of adequate case management. To better monitor offender supervision and fully achieve the mandate of protecting society, as set out in the Act, the BOI recommends that the direct supervision component set out in the contract agreement be taken away from the Maison Painchaud CRF and given back to CSC, and that CSC review the service models with all other CRFs currently responsible for the direct supervision of offenders.**

The BOI concluded that the communication and sharing of information between the Federal Training Centre (FTC), the Québec Parole Office, the Maison Painchaud CRF, the PBC and the police services were adequate when the case was prepared and the offender was released. The BOI noted shortcomings in the accessibility and sharing of information found in the offender's file between CSC and the Maison Painchaud CRF during his supervision in the community. However, during this period, the communication and sharing of information between CSC and its other partners was adequate.



## PROTECTED B

The BOI noted that the Board members fully applied the Risk Assessment Framework, as stipulated in policy 2.1, *Assessment for Pre-Release Decisions*, of the *Decision-Making Policy Manual for Board Members*, in the decisions made on March 26, 2019, for the first day parole review, and on September 19, 2019, for the continuation of day parole and a review of full parole.

The BOI found that the written decision made on March 26, 2019, complied with the principles of the CCRA and the requirements of PBC's policy 2.1. It contained a summary of the offender's overall assessment, the case's general findings, as well as the reasons for the decision.

In the decision made on September 19, 2019, and finalized on September 20, 2019, the BOI noted a considerable disparity between the decision shared verbally with the offender at the hearing and the written one. The written decision contained a summary of a number of important elements. However, the information relating to the permissions granted to **GALLESE** by the CMT to frequent a massage parlour for sexual purposes, as well as the explicit interdiction by the Board members to frequent such parlours, as expressed at the hearing, are not clearly identified. Reading only the written decision could cause confusion because it does not reflect the entirety of what was raised by the Board members at the hearing.

The BOI noted that the Board members applied the CCRA criteria in imposing the special conditions in the decisions made on March 26, 2019, and September 19, 2019, and that they clearly set out the reasons for these conditions on day parole, as per policy 7.1 of the PBC.

The BOI found that, overall, the PBC had all the relevant and available information at its disposal at the time of the hearings to render a sound decision and that the information was of quality. The BOI did not note any shortcomings in relation to compliance with legislation or the PBC policies that informed the Board members' decision-making. The BOI found that the Board members who made the conditional release decisions on March 26, 2019, and September 19, 2019, met all of the PBC training requirements and had the level of knowledge

## PROTECTED B

required to perform their tasks. The BOI believed that the PBC training plan for new Board members was well structured and complete.

Following its investigation, the BOI concluded that a combination of factors emerged throughout the course of **GALLESE**'s supervision and directly contributed to the incident under investigation: the offender's visits to a massage parlour for sexual purposes on more than one occasion, including three authorized by his CMT, in contravention of the *Criminal Code of Canada*; shortcomings in checking with the collateral network to corroborate the offender's statements and the lack of verification into his activities, comings and goings, and associates in the community; the CMT's lack of understanding of the offence cycle, hence their inability to notice the increase in risk that **GALLESE** posed in the fall of 2019, up to the time of the incident; the communication problems between the caseworkers at the CRF and the CSC CMT throughout the offender's supervision in the community. All of these factors helped create the conditions that led to the tragic death of Marylène Levesque. The BOI recognizes that shortcomings in the supervision of this case contributed to the incident under investigation and is of the opinion that the measures proposed in this report will prevent this kind of incident in the future.

**PROTECTED B**

## **INCIDENT INVESTIGATION PROCESS AND METHODOLOGY**

The Correctional Service of Canada (CSC) is required by law to investigate incidents where an offender under its care and custody dies or suffers serious bodily injury. CSC may also investigate any other incident or matter relating to the operations of the Service. The Chairperson of the Parole Board of Canada (PBC) may appoint a person or persons to investigate and report on any matter relating to the operations of the Board. By law, the Chairperson may convene an investigation into incidents where an offender released into the community, following a decision made by the Board, is involved in a serious incident. This ensures that CSC and the PBC adhere to the principles of accountability, responsibility and transparency, and that they improve their policies and practices in order to prevent and reduce the likelihood of similar incidents from reoccurring. CSC's Incident Investigations Branch (IIB) and the PBC's Professional Standards Section are entrusted with ensuring that the facts surrounding an incident are thoroughly examined by an objective Board of Investigation (BOI) and that recommendations are made to ensure that appropriate action plans and corrective measures are implemented to help prevent similar incidents.

During this investigation, the BOI interviewed a total of 25 people, of which 18 were staff members, including staff from the Maison Painchaud Community Residential Facility (CRF) (clinical workers, team lead, intake worker, security officer and director) and from CSC (parole officers, parole officer supervisors, area director, programs officer and psychologists). The BOI interviewed two Board members and a Vice-Chairperson of the PBC, as well as individuals from **GALLESE**'s collateral network. Finally, the BOI conducted several consultations regarding CSC and PBC policies and practices at the local, regional and national levels. The BOI did not meet with the offender under investigation. The BOI reviewed the Agreed Statement of Facts that was filed in the Superior Court (Criminal and Penal Division) on February 24, 2020. This document detailed the offender's reason for acting out and his guilty plea for first-degree murder. The BOI concluded that this information was sufficient, so it did not consider a meeting with the offender to be necessary.

**PROTECTED B**

The enabling authorities of the Maison Painchaud CRF, CSC and the PBC were also reviewed, including audio recordings of **GALLESE**'s hearings before the PBC on March 26, 2019 and September 19, 2019.

During the interviews, the BOI informed each individual of the protection granted to them under section 13 of the *Inquiries Act*, and each individual was able to speak in the official language of their choice.

The purpose of investigations is also to provide opportunities to share lessons learned and best practices across both organizations. Responses from the Offices of Primary Interest and key stakeholders are monitored and then reviewed by senior executives of CSC and PBC before the file is closed.

## PROTECTED B

### FOCUS OF THE INVESTIGATION

On February 3, 2020, Anne **KELLY**, Commissioner of the Correctional Service of Canada (CSC), and Jennifer **OADES**, Chairperson of the Parole Board of Canada (PBC), appointed, by virtue of section 20 and subsection 152(4) of the *Corrections and Conditional Release Act*, Dianne **VALCOURT** and José **GARIÉPY**, as co-chairs and community members; Richard **MARCEAU**, National Investigator, National Headquarters (CSC); Natasha **LEVESQUE-HILL**, Chief of Staff, National Office (PBC); and Pauline **GAUVIN**, Assistant Warden, Operations, Dorchester Penitentiary, Atlantic Region (CSC), as members of the BOI.

The key findings of this investigation report are presented under the following Investigation Areas that the BOI was directed to investigate, as outlined in the Convening Order (see Annex B):

#### Investigation Areas Pertaining to the Correctional Service of Canada

- **Investigation Area A:** the existence of pre-incident indicators, precipitating events or contributing risk factors to the incident under investigation and, if so, were they known by staff and was any attention provided or action taken by them;
- **Investigation Area B:** the case preparation leading up to the offender's release;
- **Investigation Area C:** the quality of the offender's supervision following his release on day parole, including adherence to any special conditions of release that may have been imposed and the extent of any contact that took place while the offender was under supervision;
- **Investigation Area D:** the level of training required in relation to each caseworker's role and the compliance rate;

## PROTECTED B

- **Investigation Area E:** the quality of the clinical supervision by caseworkers and the quality control of documents;
- **Investigation Area F:** the direct offender supervision practices of our CRF partners; and
- **Investigation Area G:** the quality of communications and sharing of information among relevant agencies and/or individuals leading up to the offender's release and during the course of his supervision.

### Investigation Areas Pertaining to the Parole Board of Canada

- **Investigation Area A:** the rationale given by the Parole Board of Canada, including the application of the Risk Assessment Framework (policy 2.1), to explain the March 26, 2019 decision to grant day parole and the September 19, 2019 decision to continue day parole;
- **Investigation Area B:** the rationale given by the Parole Board of Canada to explain the March 26, 2019 decision to impose special conditions on day parole and the September 19, 2019 decision to impose special conditions to the day parole continued;
- **Investigation Area C:** the quality and completeness of the information available to the Parole Board of Canada that had an impact on the risk assessment;
- **Investigation Area D:** any matter relating to compliance with legislation and policies of the Parole Board of Canada that had an impact on the Board's decision-making; and
- **Investigation Area E:** any other matter relating to the Parole Board of Canada's operations, including training, that the Board of Investigation deems relevant for understanding the incident.

## PROTECTED B

### CONTEXT

In Canada, two Public Safety Canada portfolio agencies, the Correctional Service of Canada (CSC) and the Parole Board of Canada (PBC or “the Board”) are involved in the correctional process and conditional release of federal offenders. These two separate agencies are subject to the *Corrections and Conditional Release Act* (CCRA).

**CSC Mission Statement:** *The Correctional Service of Canada, as part of the criminal justice system and respecting the rule of law, contributes to public safety by actively encouraging and assisting offenders to become law-abiding citizens, while exercising reasonable, safe, secure and humane control.*<sup>1</sup>

CSC is the federal government agency responsible for administering sentences of a term of two years or more, as imposed by the court. CSC is responsible for managing institutions of various security levels and supervising offenders under conditional release in the community. Through parole officers, CSC is responsible for preparing offender case files which will be reviewed by the PBC and for supervising federal offenders on conditional release in the community until the end of their sentences.<sup>2</sup>

Upon arrival into federal custody, the offender undergoes a full intake assessment to determine their correctional needs. This means that CSC collects a variety of information about the offender and the offence from police, courts, victims, family members and the offender. This information will help to create a Criminal Profile of the offender and a Correctional Plan that will describe the required interventions and the recommended correctional programs related to the contributing factors to criminality in order to reduce the offender’s risk of recidivism upon a future conditional release. The Correctional Plan serves as the basis for tracking the offender’s progress throughout his sentence and will be readjusted as needed. During this intake assessment, and on a regular basis thereafter, CSC will establish the appropriate level of security based on three factors: institutional adjustment, escape risk and risk to public safety.<sup>3</sup>

## PROTECTED B

**PBC Mission Statement:** *The Parole Board of Canada, as part of the criminal justice system, contributes to the protection of society by facilitating, as appropriate, the timely reintegration of offenders and the sustained rehabilitation of individuals into society as law-abiding citizens. The Board makes independent, quality conditional release, record suspension and expungement decisions, as well as clemency recommendations, in a transparent and accountable manner, while respecting diversity and the rights of offenders and victims.*<sup>4</sup>

The PBC is an independent administrative tribunal headed by a Chairperson who reports to Parliament through the Minister of Public Safety and Emergency Preparedness. The PBC makes conditional release decisions for federal offenders, as well as for offenders under provincial/territorial jurisdiction who do not have their own parole board. PBC decision-makers are full-time or part-time Board members appointed by the Governor in Council, following an appointment process administered by the Privy Council Office.<sup>5,6</sup> These members make their decisions independently, in accordance with the PBC's legislative framework.

The CCRA defines the purpose of conditional release and the principles that guide the PBC in its decisions in that regard. The purpose of conditional release is to contribute to the maintenance of a just, peaceful and safe society by means of decisions on the timing and conditions of release that will best facilitate the rehabilitation of offenders and their reintegration into the community as law-abiding citizens. In all cases, the protection of society is the paramount consideration for the PBC.

Before making a conditional release decision, the PBC must determine whether releasing the offender will pose an undue risk to society, and whether it will contribute to the protection of society by facilitating the offender's reintegration into society as a law-abiding citizen.

The CCRA provides for different types of conditional release for offenders: escorted temporary absences (ETAs), unescorted temporary absences (UTAs), work releases (WRs),



**PROTECTED B**

day parole (DP), full parole (FP) and statutory release (SR).<sup>7,8</sup> The last type of release does not apply to offenders who received a life or indeterminate sentence.

For explanatory purposes, temporary absences are the first type of conditional release that an offender can be granted. They may be granted for various reasons, i.e., for medical, administrative, community service, family contact, personal development or compassionate reasons (for example, when a loved one dies). WRs allow the offender to leave the institution to work or do community service. It is a structured release program for a specified period of time. A staff member or other person from an authorized organization is responsible for supervising the work release.

Day Parole gives the offender the opportunity to participate in community activities on an ongoing basis. If the offender is granted this type of release, they will generally be released either to a Community-Based Residential Facility (CBRF), which includes Community Residential Facilities (CRFs), commonly known as halfway houses, or to a Community Correctional Centre (CCC).<sup>9</sup> CCCs are managed by CSC, while CRFs are non-governmental, not-for-profit organizations that have a contractual service agreement with CSC. CRFs provide accommodation, monitoring and general support and assistance in reintegrating the offender into the community.<sup>10</sup> CSC sometimes uses these services to provide case management services to offenders in the community. These contracts are called *Community Assessment and Parole Supervision Contracts*. In this context, this case management service is referred to as *Direct Offender Supervision*.<sup>11</sup>

The last type of conditional release, FP, allows the offender to serve a portion of their sentence under CSC supervision in the community. Normally, FP may be granted after the successful completion of a DP period, which varies based on the offender's progress and level of risk. Offenders on FP are not required to return to a CCC or a CRF every evening, and generally reside in a private residence.<sup>12</sup>

Following a thorough review, an offender whose risk of recidivism is deemed to be acceptable could benefit from the types of conditional release listed above. During this process, CSC

## PROTECTED B

assesses the risk of recidivism and establishes a community supervision strategy to facilitate the offender's safe reintegration into the community. Once the necessary information is gathered, the CSC parole officer (PO) prepares the required documents and reports to make a recommendation (favourable or unfavourable) to the PBC, where appropriate. Once an offender's file is before the PBC, the Board members are responsible for making a conditional release decision.

As set out in the *Corrections and Conditional Release Regulations (CCRR)*,<sup>13</sup> every offender on conditional release must comply with a set of standard conditions, unless exempted from doing so by the Board. These include that the offender:

- (a) on release, travel directly to the offender's place of residence, as set out in the release certificate respecting the offender, and report to the offender's parole supervisor immediately and thereafter as instructed by the parole supervisor;
- (b) remain at all times in Canada within the territorial boundaries fixed by the parole supervisor;
- (c) obey the law and keep the peace;
- (d) inform the parole supervisor immediately on arrest or on being questioned by the police;
- (e) at all times carry the release certificate and the identity card provided by the releasing authority and produce them on request for identification to any peace officer or parole supervisor;
- (f) report to the police if and as instructed by the parole supervisor;
- (g) advise the parole supervisor of the offender's address of residence on release and thereafter report immediately
  - (i) any change in the offender's address of residence,
  - (ii) any change in the offender's normal occupation, including employment, vocational or educational training and volunteer work,
  - (iii) any change in the domestic or financial situation of the offender and, on request of the parole supervisor, any change that the offender has knowledge of in the family situation of the offender, and

## PROTECTED B

- (iv) any change that may reasonably be expected to affect the offender's ability to comply with the conditions of parole or statutory release;
- (h) not own, possess or have the control of any weapon, as defined in section 2 of the *Criminal Code*, except as authorized by the parole supervisor; and
- (i) in respect of an offender release on day parole, on completion of the day parole, return to the penitentiary from which the offender was released on the date and at the time provided for in the release certificate.

In addition to the standard conditions, the PBC may also impose special conditions it considers reasonable and necessary to manage the offender's risk. The PBC also considers requests from victims to impose special conditions.<sup>14,15</sup>

When imposing one or more special conditions, Board members must:

- establish a clear link between the condition imposed and the likelihood of recidivism if the condition is violated;
- demonstrate how the condition relates to the offender's risk factors, to an identified need or to a behaviour that is inappropriate or unacceptable;
- ensure the condition can be complied with, enforced and monitored by the PO; and
- ensure the condition does not contradict any court order.

**PROTECTED B**

**BACKGROUND INFORMATION**

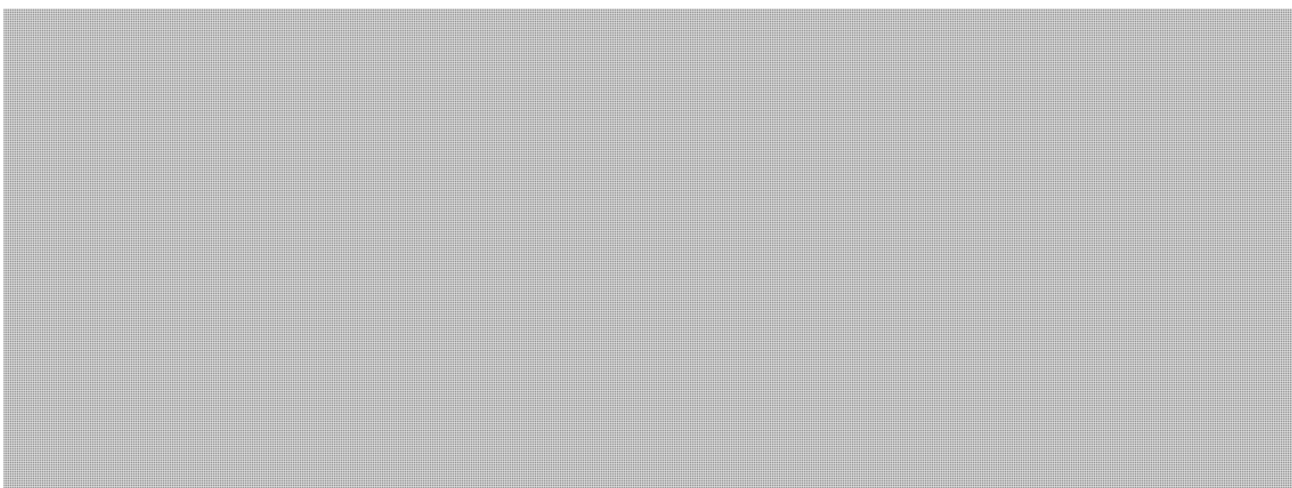
At the time of the incident under investigation, Eustachio **GALLESE**, a Caucasian offender, was 51 years old. On December 16, 2006, he was sentenced to a first federal sentence: a life sentence for the second-degree murder of his then-spouse, with no chance of parole for 15 years. **GALLESE** was incarcerated at the [REDACTED] from October 21, 2004, until he was sentenced, when he was admitted to the [REDACTED] on December 28, 2006. [REDACTED]



**PROTECTED B**



At the time of **GALLESE**'s sentencing, the judge sentenced him to life in prison, and set the eligibility date for full parole at 15 years, i.e., October 21, 2019. Under the *Corrections and Conditional Release Act*,<sup>16</sup> the date on which offenders serving a life sentence are eligible for unescorted temporary absences, work releases and day parole was set at three years before the full parole eligibility date, making him eligible on October 21, 2016.



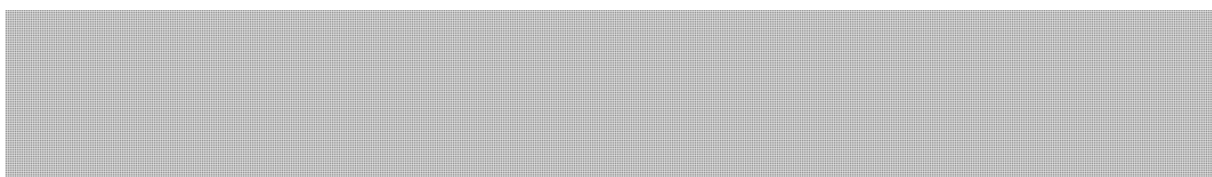
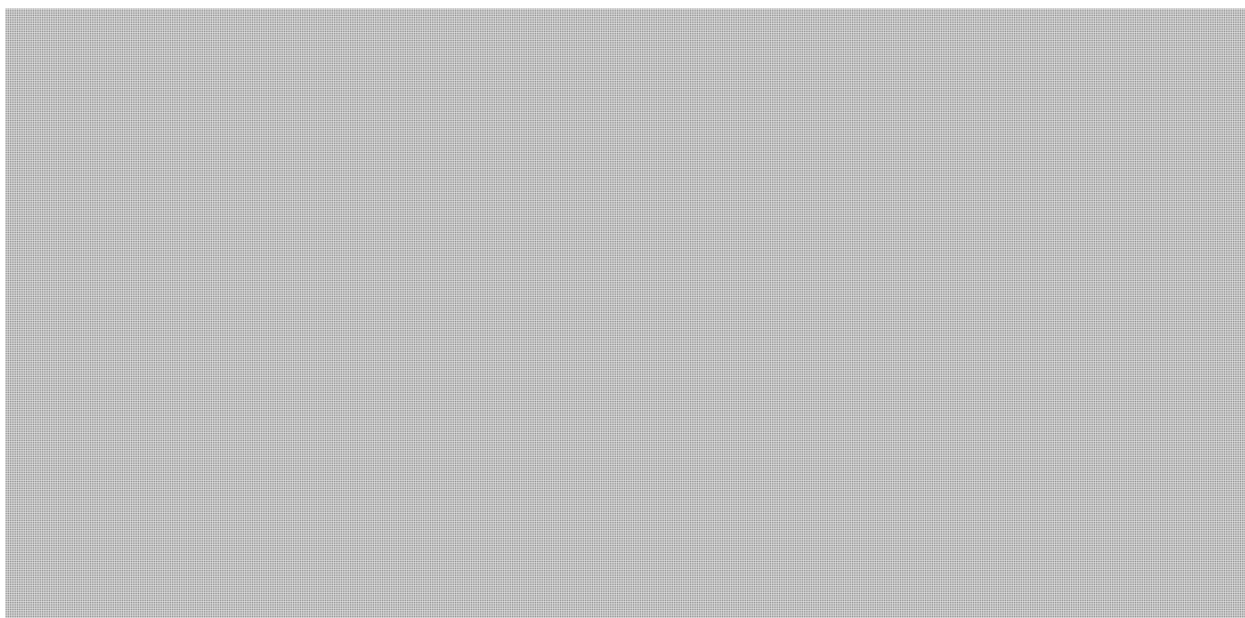
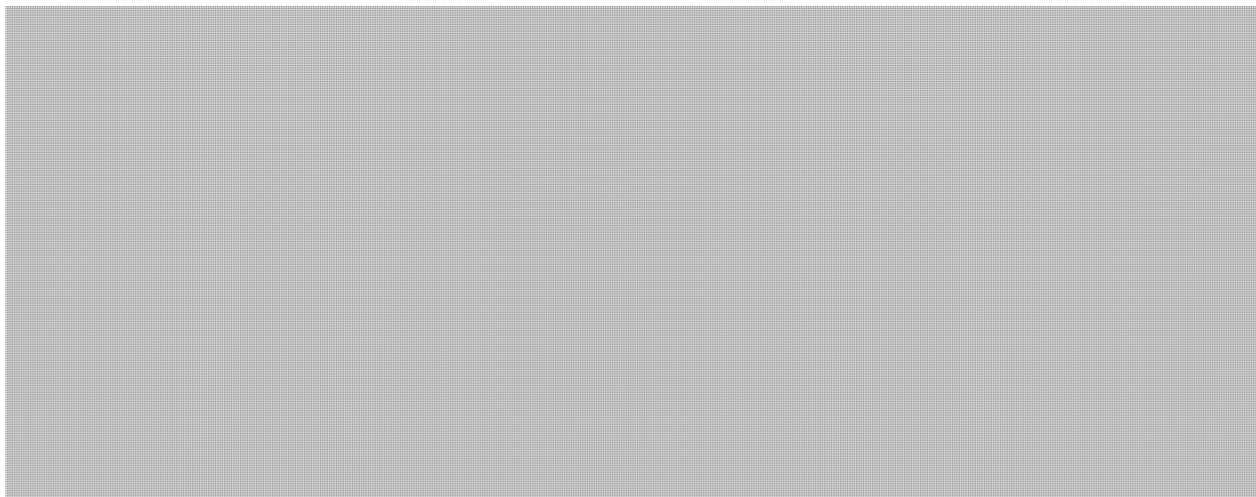
**PROTECTED B**



On March 26, 2019, **GALLESE** appeared before the PBC and was granted DP for a period of six months. **GALLESE** began his DP at the Maison Painchaud CRF in Québec City on March 29, 2019. Under a contractual agreement, the Maison Painchaud CRF, to which CSC had assigned the direct supervision of all federal offenders housed there, including **GALLESE**, was responsible for his supervision, for interventions, and for forwarding any relevant information to CSC through a CSC liaison PO. As such, **GALLESE** reported directly to a clinical worker employed by the CRF, not to a CSC PO. These clinical workers were under the supervision of a team lead. This agreement required that the clinical workers perform the same duties and responsibilities as those generally associated with a CSC PO. However, CSC retained authority and accountability for final decisions regarding offender risk management.

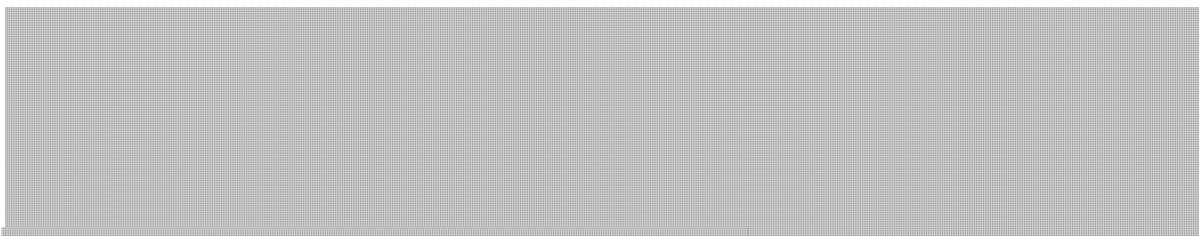
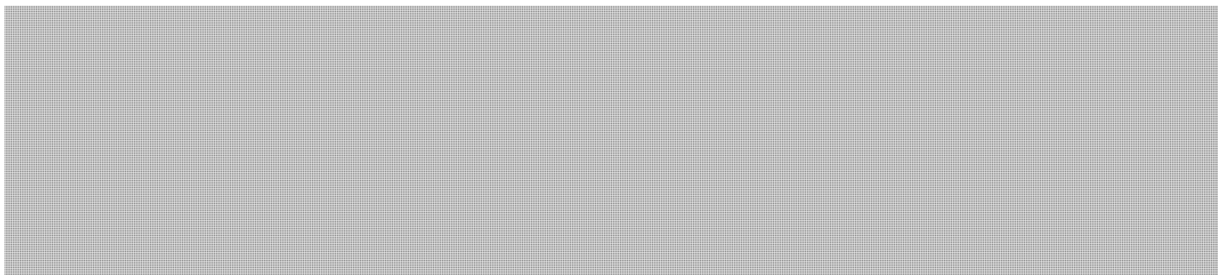
**PROTECTED B**

Beyond the standard conditions of his release, the PBC imposed the following special conditions on **GALLESE** in order to manage his risk in the community:



**PROTECTED B**

At the hearing for the continuation of day parole and a review of full parole on September 19, 2019, **GALLESE**'s visits to a massage parlour for sexual purposes were discussed at length among the Board members, the clinical worker and **GALLESE**. After many questions and following the analysis of all the information at their disposal, the Board members decided not to revoke **GALLESE**'s DP. However, they explicitly prohibited him from visiting that type of establishment and noted that they were relying on the CMT to ensure that these activities no longer occurred, as it had approved this plan. The Board members continued **GALLESE**'s day parole for an additional six months with the same special conditions that had been imposed on March 26, 2019, with a change to one of the conditions. However, they denied him full parole, emphasizing that it was necessary to see his progress in the structured context of DP and to see his gains tested over a sufficiently significant period. In their written decision, the Board members stated that this type of relationship with women was inappropriate and that the risk management strategy chosen by the CMT constituted a worrying risk factor. The Board members required that the analysis grid that led to this approach be re-examined by the CMT.



CSC was informed by the Québec City Police Service that **GALLESE** was arrested and charged with murder on January 23, 2020.

On February 27, 2020, **GALLESE** pleaded guilty to the first-degree murder of Marylène Levesque and was sentenced to life in prison with no chance of parole for 25 years.



**PROTECTED B**

**CHRONOLOGY OF EVENTS**

Date	Event
March 26, 2019	Following a positive recommendation from his CMT, the PBC granted <b>GALLESE DP</b> .
March 29, 2019	<b>GALLESE</b> was released on DP to the Maison Painchaud CRF in Québec City.
April 1, 2019	Before gaining access to the community, <b>GALLESE</b> was confined to the CRF to participate in the initial meeting with his clinical worker, which took place that same day.

**Page 26**

**is withheld pursuant to section  
est retenue en vertu de l'article**

**19(1)**

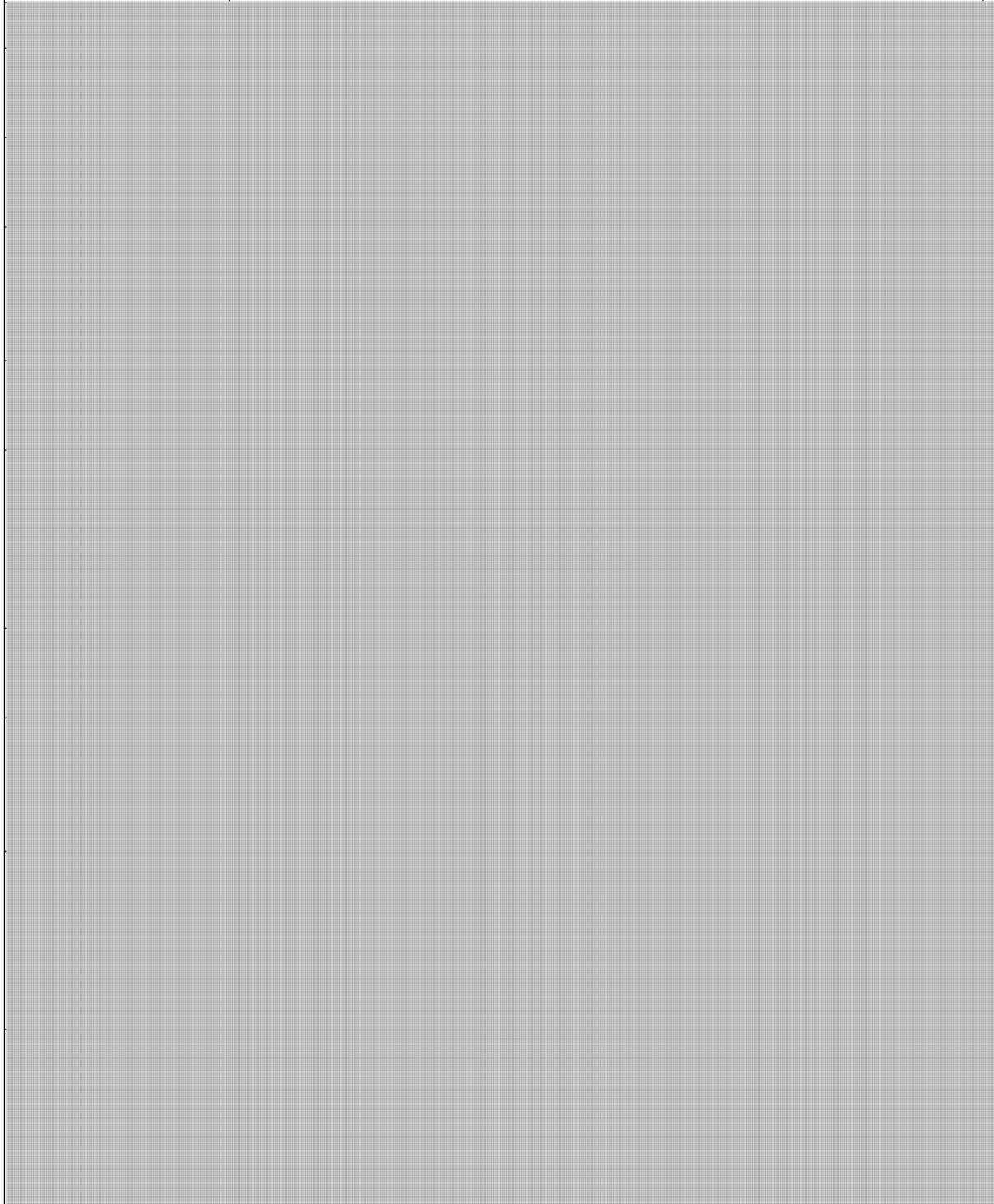
**of the Access to Information Act  
de la Loi sur l'accès à l'information**

**PROTECTED B**

	<b>GALLESE</b> went to a massage parlour for sexual purposes.
July 10, 2019	During a weekly supervision meeting with his clinical worker
	During an ad hoc meeting with his clinical worker, <b>GALLESE</b> reported that he had gone to the massage parlour for sexual purposes in the morning. He gave an account of his experience.
September 19, 2019	<b>GALLESE</b> appeared before the PBC for a DP and FP review. The PBC explicitly prohibited <b>GALLESE</b> from going to massage parlours

**PROTECTED B**

	for sexual purposes. <b>GALLESE</b> 's DP was continued for six months, while FP was denied.
--	--



**Pages 29 to / à 30  
are withheld pursuant to section  
sont retenues en vertu de l'article**

**19(1)**

**of the Access to Information Act  
de la Loi sur l'accès à l'information**

**PROTECTED B**



Unknown date

**GALLESE** bought a knife a few days before the offence.



**PROTECTED B**

	<p>Around 5:47 p.m., <b>GALLESE</b> met up with the victim at a hotel restaurant in the borough of Sainte-Foy, Québec. He had the knife he bought a few days earlier concealed on his person.</p> <p>Around 7:23 p.m., <b>GALLESE</b> and the victim went into a hotel room where he stabbed her several times.</p> <p>[REDACTED]</p> <p>Around 8:45 p.m., <b>GALLESE</b> left the hotel where the crime was committed.</p> <p>Around 11:34 p.m., <b>GALLESE</b> went to the police station in the borough of La Cité-Limoilou in Québec City to report that he had murdered a woman.</p>
January 23, 2020	<p>At 12:08 a.m., the victim was pronounced deceased by paramedics.</p> <p>Around 1:15 a.m., the Québec City Police Service contacted the CRF to inform the caseworkers that <b>GALLESE</b> was under arrest.</p> <p>Around 1:20 a.m., following a call from the Québec City Police Service, the CRF contacted CSC's NMC to report that <b>GALLESE</b> had been arrested.</p> <p>Around 1:25 a.m., the NMC contacted an investigator from the Québec City Police Service for further details on the arrest. It was confirmed that <b>GALLESE</b> had been arrested for a murder in the borough of Sainte-Foy, Québec City.</p>

**PROTECTED B**

	<p>Around 1:37 a.m., the NMC issued a warrant to suspend <b>GALLESE</b>'s conditional release.</p> <p>Around 11:00 a.m., the Québec Parole Office received confirmation from the Québec City Police Service that <b>GALLESE</b> had been charged with the second-degree murder of a woman in her twenties who worked as a masseuse at a massage parlour in Québec City.</p>
January 29, 2020	The situation report by the Director of the East-West District, Quebec Region, was completed.
February 6, 2020	<b>GALLESE</b> asked to meet with the Québec City Police Service and he made an incriminating statement.
February 27, 2020	<b>GALLESE</b> pleaded guilty to first-degree murder and was sentenced to life in prison with no chance of parole for 25 years.



**PROTECTED B**

## **FINDINGS – CORRECTIONAL SERVICE OF CANADA**

**Investigation Area A:** the existence of pre-incident indicators, precipitating events or contributing risk factors to the incident under investigation, and if so, were they known by staff and was any attention provided or action taken by them;

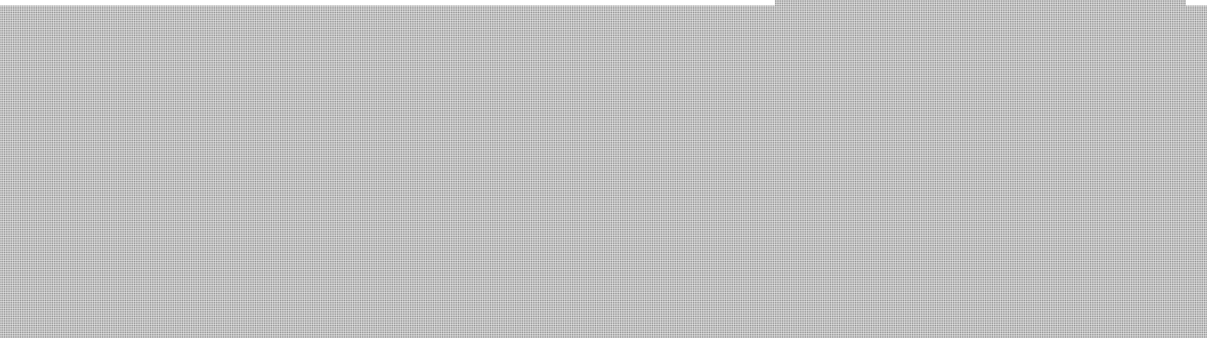
**Finding A:** The BOI found that there were many pre-incident indicators of disorganization in **GALLESE**'s emotional management that were directly related to his offence cycle. The CMT did not adequately assess these indicators and therefore did not give them the attention needed to implement the interventions required for better risk management.

The victim's refusal to have a romantic relationship with **GALLESE** and his inability to control her caused him to feel rejection, anguish, anxiety and jealousy. The BOI perceived these elements, of which **GALLESE**'s CMT had been unaware, to be what precipitated the incident.

Finally, the BOI concluded that visiting a massage parlour for sexual purposes on more than one occasion, including three authorized by his CMT, was a contributing risk factor in the incident given the offender's history of domestic violence.

### **Supporting Facts**

**A1.** In the months leading up to the murder on October 21, 2004—between July 28 and August 25, 2004—approximately 89 days before the offence,



**PROTECTED B**

**A2.** The BOI found that **GALLESE** had demonstrated several pre-incident indicators of disorganization in his emotional management around November 6, 2019, approximately 78 days before the incident under investigation. On this point, the clinical worker and the CSC psychologist had recorded the following clinical impressions on November 13, 14, 25 and 26, 2019:

[REDACTED]

The BOI noted that several of these pre-incident indicators were similar to those demonstrated by **GALLESE** in the months leading up to his index offence—the murder of his then-spouse on October 21, 2004—and were directly related to his offence cycle.

In addition, the BOI also found that the CMT did not adequately assess these indicators and therefore was unable to give them the attention needed to implement the interventions required for better risk management. It should be noted that this issue will be discussed in greater depth in Investigation Area C (CSC section of this report).

[REDACTED]

**PROTECTED B**

**A5.** In connection with the incident under investigation, and following his arrest, **GALLESE** requested a meeting with investigators from the Québec City Police Service. During his interrogation on February 6, 2020, he made an incriminating statement detailing the facts leading up to the events of the offence on January 22, 2020. These facts, which are included in a document called the “Agreed Statement of Facts”,<sup>18</sup> were presented to the court as evidence during his guilty plea on February 27, 2020. Based on the information in this document, the BOI determined that the main trigger occurred on January 11, 2020, when **GALLESE** saw the victim again. Following that encounter, **GALLESE** realized that he was no longer able to accept the relationship as it was. At that time, he concocted a plan to end his victim’s life and his own. Following that event, **GALLESE** bought a knife.

**A6.** According to the Agreed Statement of Facts,<sup>19</sup> **GALLESE**’s obsessive need to be in a relationship with the victim and his inability to achieve his goals led to feelings of rejection, anxiety, anguish and jealousy. The BOI believes that these feelings were triggers for the incident of January 22, 2020. **GALLESE** explained that starting in September 2019, he had begun to feel rejected by the victim. [REDACTED]

[REDACTED] **GALLESE** had managed to conceal his relationship with the victim from his CMT, so the caseworkers involved in his supervision were not aware of the triggers.

**A7.** The information in the Agreed Statement of Facts indicated that on the evening of January 22, 2020, **GALLESE** went to meet the victim and had a knife concealed on him. After drinking some alcoholic beverages at a hotel restaurant, **GALLESE** and the victim went to a hotel room where the victim was stabbed several times.

**A8.** In the incriminating statement he gave to police investigators on February 6, 2020, which was submitted as evidence in the Agreed Statement of Facts dated February 24, 2020, **GALLESE** admitted that he had met the victim [translation] “*in early June 2019*” in a massage parlour for sexual purposes. [REDACTED]

**PROTECTED B**

[REDACTED] The casework records in the Offender Management System (OMS) showed that he had confirmed to the clinical worker that he had visited a massage parlour [REDACTED]. In addition to the monthly frequency that was approved by his CMT, **GALLESE** admitted to police investigators that he sometimes went there several times a week. According to his confession to the police, it was allegedly after a few encounters, which were unknown to everyone, that **GALLESE** started becoming attached to the victim, to the point of asking her to be exclusive toward the end of July 2019.

**A9.** The BOI found that **GALLESE**'s visits to a massage parlour for sexual purposes had allowed him to meet the victim. The correlation between visiting such locations and the encounter that resulted in a sexual and emotional relationship was a contributing risk factor in the incident.

**A10.** According to **GALLESE**'s confession, as indicated in the Agreed Statement of Facts,<sup>20</sup> although the PBC prohibited him from visiting massage parlours at the September 19 hearing, and even though he was aware that he was breaching his release conditions, he had agreed to meet the victim in hotels and motels in the Québec City area. That same month, **GALLESE** realized that his relationship with the victim was deteriorating. The victim was more distant, less warm, and **GALLESE**'s period of disorganization and instability began in the following months.

**A11.** The incident under investigation recalls **GALLESE**'s history of domestic violence, which led to a guilty verdict on December 16, 2006, for the murder of his spouse on October 21, 2004. According to the police investigation report dated November 5, 2004,<sup>21</sup> pending separation, **GALLESE** had killed his then-spouse using a hammer and two knives.

[REDACTED]

**A12.** According to the testimony<sup>22</sup> from the police and from those admissible during the trial for the murder on October 21, 2004, **GALLESE** was considered [REDACTED]

[REDACTED]

**PROTECTED B**

According to **GALLESE**'s Criminal Profile report dated May 5, 2007.

In his autobiography,<sup>23</sup> which he wrote while participating

**GALLESE** described l

**A14.** The BOI believes that **GALLESE**'s history of domestic violence was a contributing risk factor in the January 22, 2020 incident and was known to his CMT.

**PROTECTED B**

**Investigation Area B: the case preparation leading up to the offender's release;**

**Finding B:** The BOI found that the case preparation leading up the offender's release was structured and based on a progression of consistent and timely correctional interventions in accordance with the offender's needs and contributing factors. Case preparation was consistent with policy and met the criteria of the general principles of gradual reintegration into the community.

The BOI determined that there were shortcomings in the collection of information in **GALLESE's** file, resulting in the absence of information from official sources from the police, the courts and Quebec's Correctional Services. The BOI also found that the policy for naming documents required for information collection and updating the collection was confusing.

**Introduction**

The policy<sup>25</sup> required CSC to take all reasonable and necessary steps to obtain all the essential information referred to in section 23 of the *Corrections and Conditional Release Act*.<sup>26</sup> The quality of communications and information sharing depends on the continuous collection of offender information. As described in CSC's policy,<sup>27</sup> the purpose of information collection was to ensure public safety by collecting accurate, relevant information on **GALLESE** and on the index offence to facilitate the assessment and placement process as well as the administration of the sentence as a whole.

**Supporting Facts**

**B1.** Following **GALLESE's** admission to the [REDACTED] on December 28, 2006, the BOI noted that CSC had requested the following three documents: comments from the judge and the crown prosecutor, the police report, and the criminal record detailing his history of criminal offences. According to the document checklist (CSC form #0966), CSC

**PROTECTED B**

requested these documents between December 16, 2006 and January 4, 2007, and received them on February 8, 2007. They were recorded in OMS, in the Police and Court Information Management Module, included in **GALLESE**'s physical case management file, and shared with the PBC.

**B2.** To prepare **GALLESE**'s Criminal Profile and Correctional Plan, the PO had the following reports: the police report on the October 21, 2004 offence, which included the investigation report, the paramedics' solemn declaration, an application to initiate proceedings and the indictment;<sup>28</sup> the *Submissions on Sentencing and Sentence (partial transcript)*<sup>29</sup> dated December 16, 2006, which incorporates the comments of the judge and the crown prosecutor; the criminal record and the information obtained during a Post-Sentence Community Assessment with [REDACTED] which was completed on February 2, 2007. In addition, a PO from the Quebec Area Office also completed a preliminary assessment of **GALLESE** on December 20, 2006. This assessment consisted primarily of gathering self-reported information.

**B3.** The BOI noted that according to the document checklist (CSC form #0966) on file, no action was taken to obtain the reports from the Ottawa Police Service, [REDACTED]

[REDACTED]

confirmed that this file was no longer available to share with CSC. By contacting a manager at the Ottawa Police Service's Freedom of Information office, the BOI was able to obtain a copy of the full report [REDACTED]

[REDACTED]

As per Commissioner's Directive (CD) 705-2 – Information Collection, paragraphs 10 and 13(a)(vi) (April 14, 2006),<sup>30</sup> CSC should have taken the appropriate and necessary steps to obtain information on previous convictions for serious offences and on all court proceedings.<sup>31</sup> However, the BOI noted that the definition of a serious offence was not

**PROTECTED B**

explained in the above-mentioned policy and was still missing in Commissioner's Directive 705-2 – Information Collection, paragraph 3(d) (November 23, 2015). **(Policy Gap)**

**B4.** Following his arrest for the murder of his then-spouse on October 21, 2004, **GALLESE** [REDACTED] This decision<sup>32</sup> was not requested by CSC, contrary to Commissioner's Directive 705-2 – Information Collection, paragraph 13(c) (April 10, 2006),<sup>33</sup> and the *Corrections and Conditional Release Act*, section 23 (December 14, 2006),<sup>34</sup> which stated that CSC was to take all possible and reasonable measures to obtain the reasons given by the court that convicted, sentenced or committed the person. This decision was also available to the public on the Société québécoise d'informations juridiques' website. **(Compliance Issue)**

**B5.** The BOI determined that there were no known reasons to prevent CSC from requesting full or partial court transcripts. Furthermore, the [translation] *information agreement regarding sentences* between CSC and the Government of Quebec, paragraph 3.1 (May 15, 1995),<sup>35</sup> confirms that CSC may also request additional documents from the evidence before the court, including the [translation] *full identification of other testimony*, but these documents were never requested in **GALLESE**'s file. By going to the municipal court of Québec, the BOI was able to obtain the full transcript of **GALLESE**'s trial for the October 21, 2004 murder, including the testimony of 10 witnesses, 2 experts and **GALLESE**. The BOI found that the information in the trial transcript met the objective of the information collection process which, according to the policy,<sup>36</sup> was to collect relevant, complete and accurate information on the offender and on the index offence. Moreover, during his first psychological assessment on May 12, 2009, it was mentioned that **GALLESE** himself was

[REDACTED]  
[REDACTED] **(Underlying Issue)**

**B6.** The BOI noted that Commissioner's Directive 705-2 – Information Collection, paragraph 7 (November 23, 2015),<sup>37</sup> which is currently in effect, states that it is the PO's responsibility to update [REDACTED]  
[REDACTED]

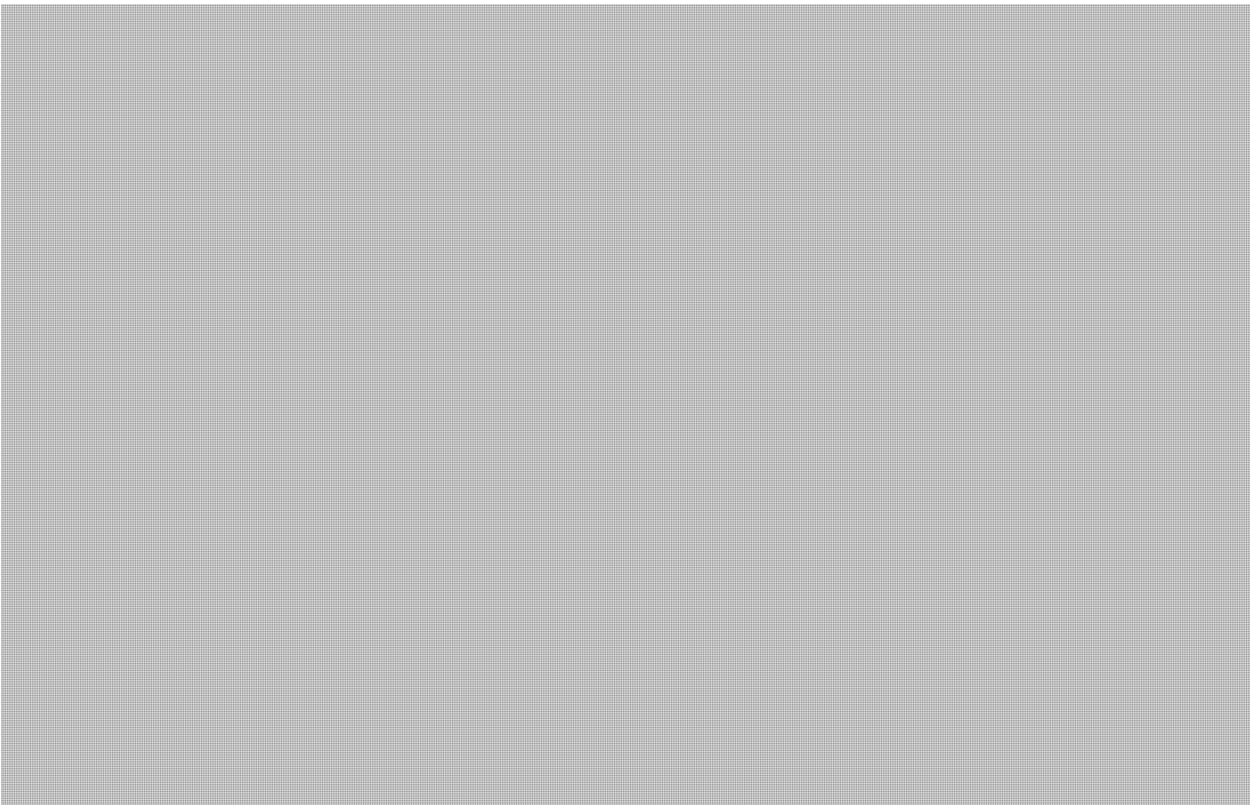


PROTECTED B

**Recommendation 1: Since the current policy on information collection is vague with regard to the list of source documents required and the process for updating the collection, the BOI recommends that CSC revise Commissioner's Directive 705-2 – Information Collection to: a) define a serious offence; b) specify the documents required, including source documents such as trial transcripts for sentenced offenders with a history of violent offences as set out in Schedule I of the *Corrections and Conditional Release Act*; and c) ensure a mechanism for monitoring information collection throughout the sentence.**

**B7.** During his first few years of incarceration, **GALLESE's** progress and motivation to participate in his Correctional Plan [REDACTED]

[REDACTED] As noted earlier, the Quebec Court of Appeal dismissed the appeal on May 28, 2009, and following that decision, **GALLESE** started becoming more involved in his Correctional Plan.

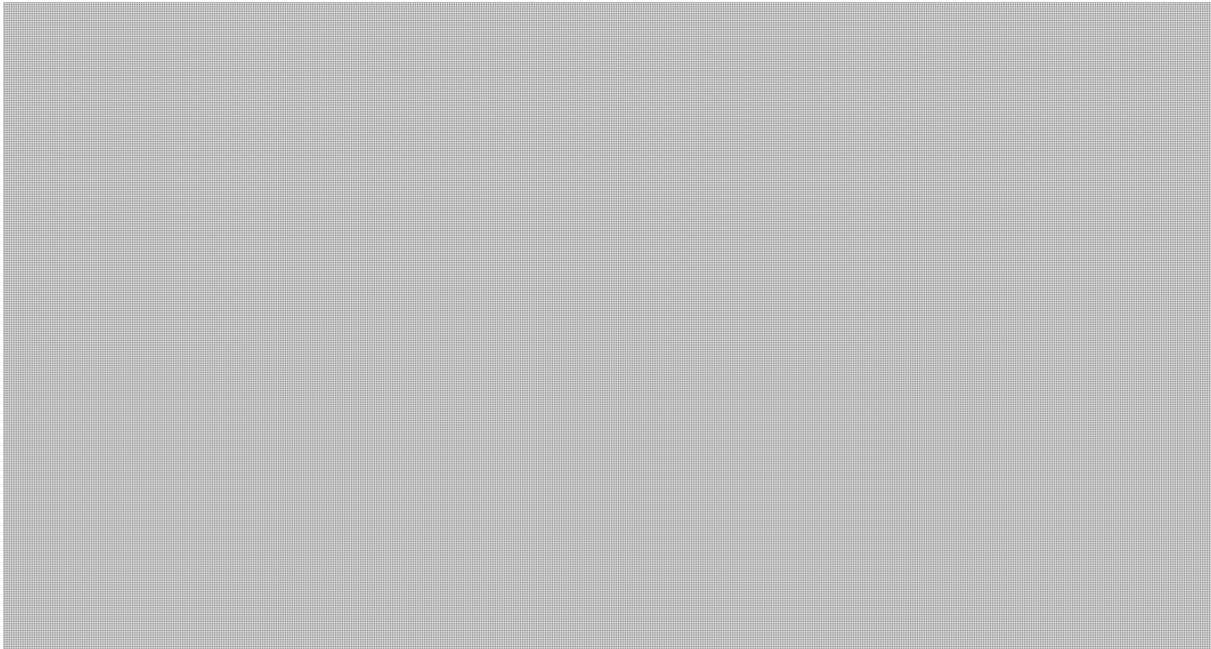


**Pages 43 to / à 47  
are withheld pursuant to section  
sont retenues en vertu de l'article**

**19(1)**

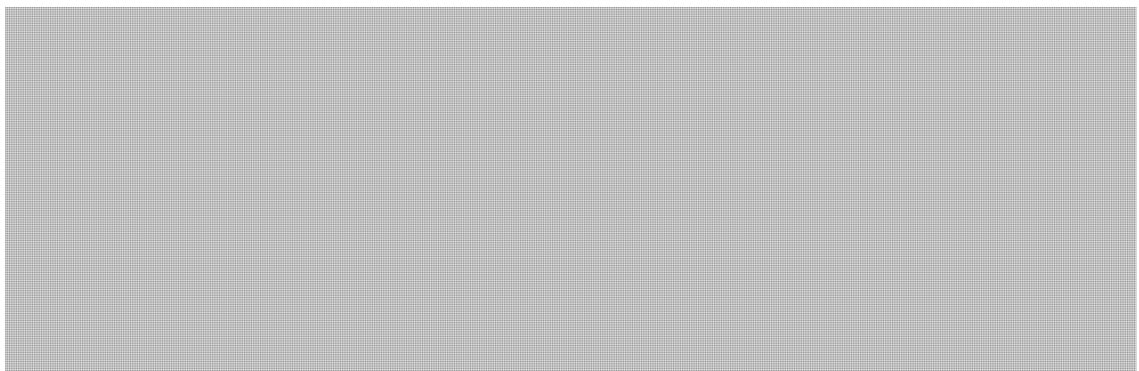
**of the Access to Information Act  
de la Loi sur l'accès à l'information**

**PROTECTED B**

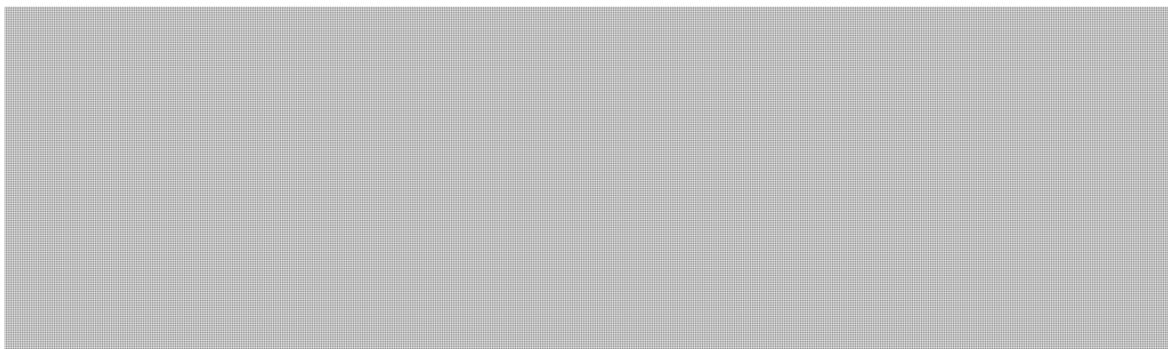


**B25.** To determine whether **GALLESE** could be accommodated at the Maison Painchaud CRF as a resident if granted DP, a Community Assessment (CA) was sent to the CRF to help develop the CS. The CA was completed by the CRF team lead and complied with the 30-day timeframe set out in the policy.<sup>43</sup> The CRF accepted **GALLESE**, noting his positive progress and his involvement in his Correctional Plan during his incarceration. In the expectations, it was specified that **GALLESE** was to be transparent with his CMT, participate in the targeted correctional program and take part in psychological counselling.

**B26.** The IPO completed the last report required in the case preparation for release—the Assessment for Decision—on December 31, 2018. This report recommended granting DP, and it observed the two-month timeframe prescribed by the policy<sup>44</sup> before the scheduled PBC hearing date. In making this recommendation, the PO considered the following factors:



**PROTECTED B**



The BOI found that the quality of the report submitted and its content were in accordance with the policy.<sup>45</sup>

## PROTECTED B

**Investigation Area C:** the quality of the offender's supervision following his release on day parole, including adherence to any special conditions of release that may have been imposed and the extent of any contact that took place while the offender was under supervision;

**Finding C:** The BOI found that the CMT underestimated the offender's likelihood of developing an emotional connection with an employee at a massage parlour for sexual purposes and the need to intervene accordingly.

In addition, the BOI found that, due to major shortcomings with regard to caseworkers' verification of information with collateral contacts, the risk posed by the offender, as well as the special and standard conditions to which he was subject on his release, could not be adequately managed.

### Supporting Facts


**C1.** Following the hearing on March 26, 2019, the PBC granted **GALLESE** DP for a period of six months. He was released from the [REDACTED] on Friday, March 29, 2019, the date he arrived at the Maison Painchaud CRF in Québec City. Before being able to access the community, **GALLESE** was confined to the CRF until Monday, April 1, 2019, so he could participate in the initial meeting with his clinical worker, thereby complying with the policy,<sup>46</sup> which requires that a meeting be held with the offender within a maximum of one working day following the offender's release. At this initial meeting with his clinical worker, **GALLESE** duly signed his release certificate, which included all of the special and standard conditions imposed on his DP. These came into effect on March 29, 2019, and ended six months later, on September 28, 2019. During this initial interview, the clinical worker explained to **GALLESE** the geographic boundaries he had to observe, the terms of his movements, possible actions or penalties if the special and standard conditions were not complied with, as well as the CRF's operations. In addition, they discussed occupation, his health, [REDACTED] **GALLESE** was also informed of the possibility that he would be subject to random and impromptu checks by a member of the CMT, accompanied by police officers from the Québec City Police Service.

**PROTECTED B**

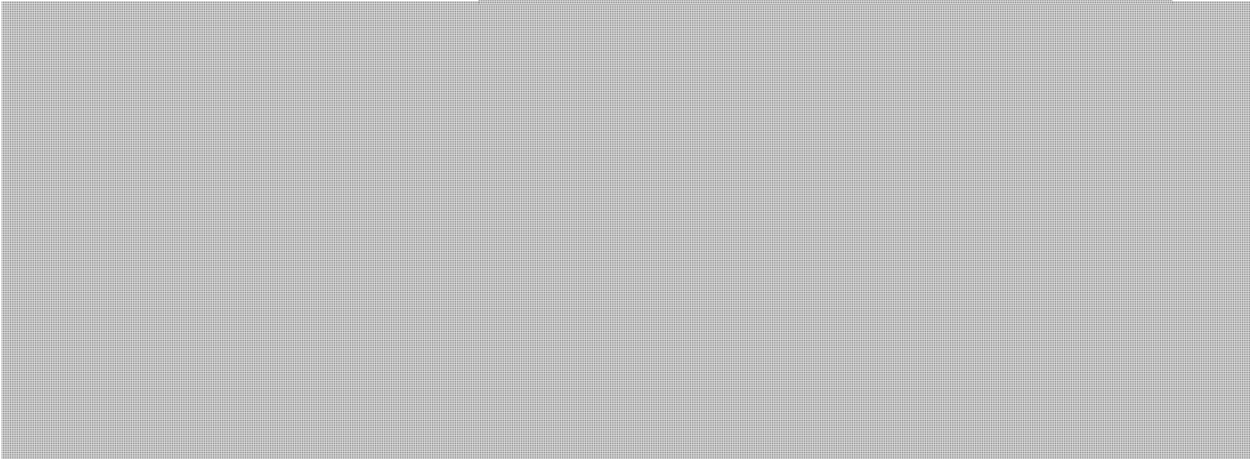

**C2.** A Correctional Plan Update was completed on March 29, 2019, to formally reduce the required level of intervention (frequency of contacts) between **GALLESE** and his clinical worker. Based on the assessment of **GALLESE**'s static and dynamic factors, which were assessed at [REDACTED] the level of intervention [REDACTED]. However, since **GALLESE** was in a temporary environment, the level of intervention [REDACTED]. [REDACTED] Notwithstanding the criteria established by CSC, the internal policy of the MAISON Painchaud CRF was to meet with each offender once a week throughout their stay. In fact, the meetings between the clinical workers and **GALLESE** exceeded the minimum required based on his level of intervention, and he met with his clinical worker every week of his stay at the CRF. These meetings were also recorded in a casework record in OMS within the required timeframe and in accordance with the policy.<sup>47</sup>

**C4.** On April 3, 2019, at a conference case between the clinical worker, his team lead and the liaison PO, [REDACTED]

**PROTECTED B**



**C7.** The Correctional Plan review was completed on April 14, 2019, and recorded in a casework record, where the clinical worker at the Maison Painchaud CRF indicated that he established a network of collateral contacts to corroborate the information **GALLESE** provided throughout his supervision.



**Page 53**

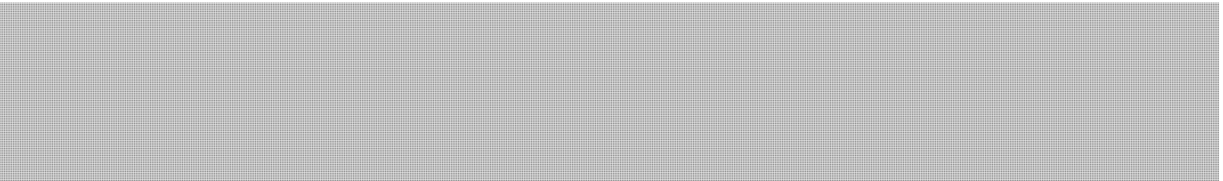
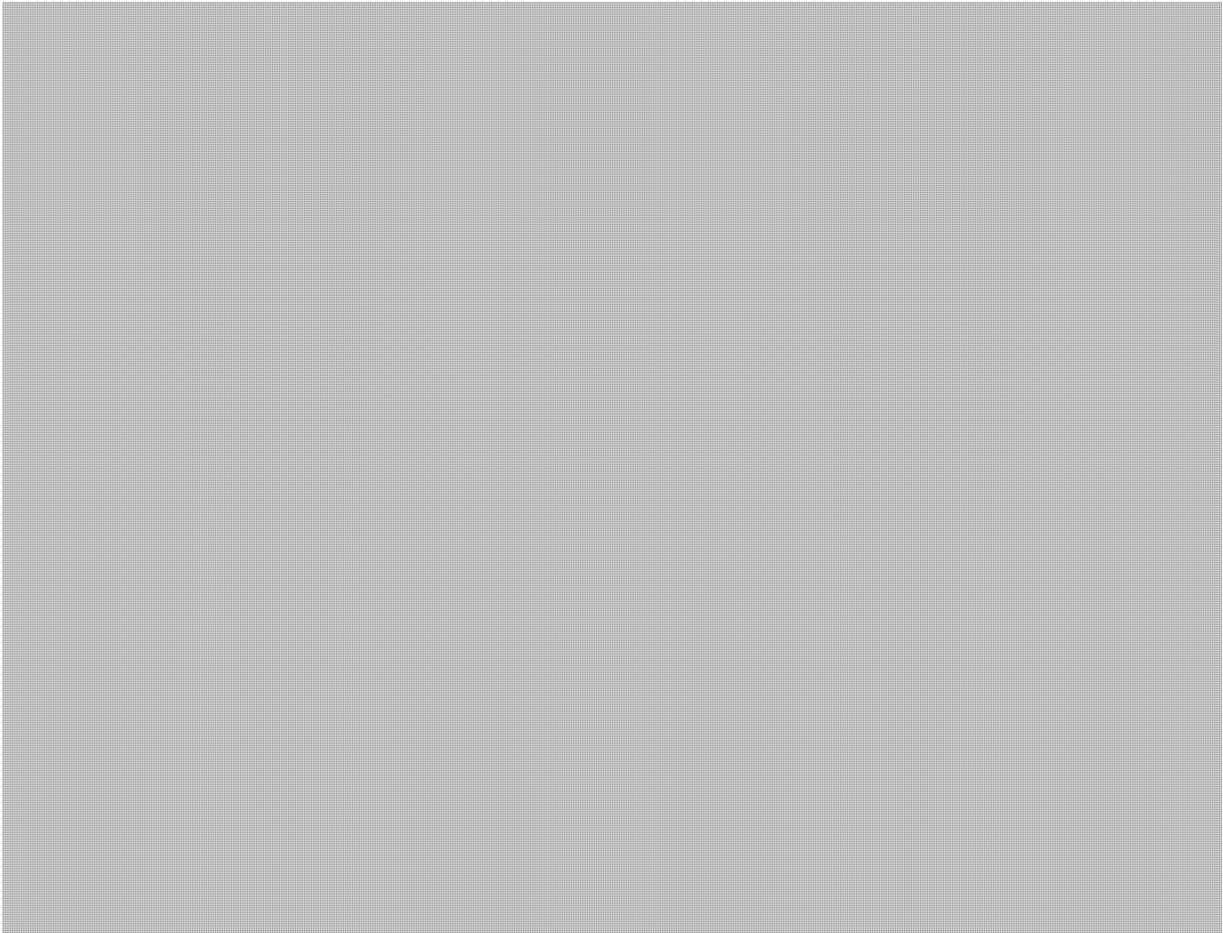
**is withheld pursuant to section  
est retenue en vertu de l'article**

**19(1)**

**of the Access to Information Act  
de la Loi sur l'accès à l'information**



**PROTECTED B**



the clinical worker did not submit a recommendation to the PBC to amend this condition, contrary to Commissioner's Directive 715-2 – Post-Release Decision Process, paragraph 8 (April 15, 2019).<sup>52</sup> **(Compliance Issue)**

**C14.** According to the Maison Painchaud CRF's policy,<sup>53</sup> **GALLESE** was entitled to weekend passes at a predetermined frequency. On May 3, 2019, the clinical worker met with [REDACTED] at her home— [REDACTED]—to determine how well they understood the special conditions. He was granted a first weekend pass at his [REDACTED] home [REDACTED] after which the clinical worker contacted [REDACTED] on May 16, 2019, to inquire about how the weekend went, as per the policy.<sup>54</sup> **GALLESE** also

**PROTECTED B**

had two weekend passes at [REDACTED]

**C15.** The BOI found that on reading the report on the movement history recorded in the Maison Painchaud CRF's internal communication system (Le relais), **GALLESE** did not make any calls about his movements or to report in during those weekend passes at his [REDACTED]. In addition, intake workers at the CRF did not conduct any checks with **GALLESE** during those periods to confirm his activities and movements during the weekend passes, including his curfew, [REDACTED].

In the BOI's interviews with some of the CRF's employees, it was confirmed that such checks—during weekend passes or when accompanied by a person designated as a collateral contact—were not common practice. The BOI concluded that these internal practices of the CRF were contrary to sound management of **GALLESE**'s supervision, and were contrary to the contractual agreement, *Conditional Release – Community Supervision*, paragraph 52 (March 31, 2016),<sup>55</sup> which stipulated that the “*CRF must periodically check individual resident activities and destinations while the resident is away from the facility and record the results of these checks in the log book.*” (**Compliance Issue**)

**C16.** Following a case conference between the clinical worker at the Maison Painchaud CRF and the liaison PO held on June 3, 2019, **GALLESE** was authorized to work [REDACTED]. They determined that this type of work did not violate his special conditions, and that in the course of his duties, [REDACTED].

According to the comments the BOI received during interviews with some of the CRF employees, **GALLESE**'s return hours were based on his occasionally late working hours [REDACTED]. In these interviews, the BOI was also informed that the employees' understanding was that this type of variable curfew also applied when **GALLESE** would participate in [REDACTED].

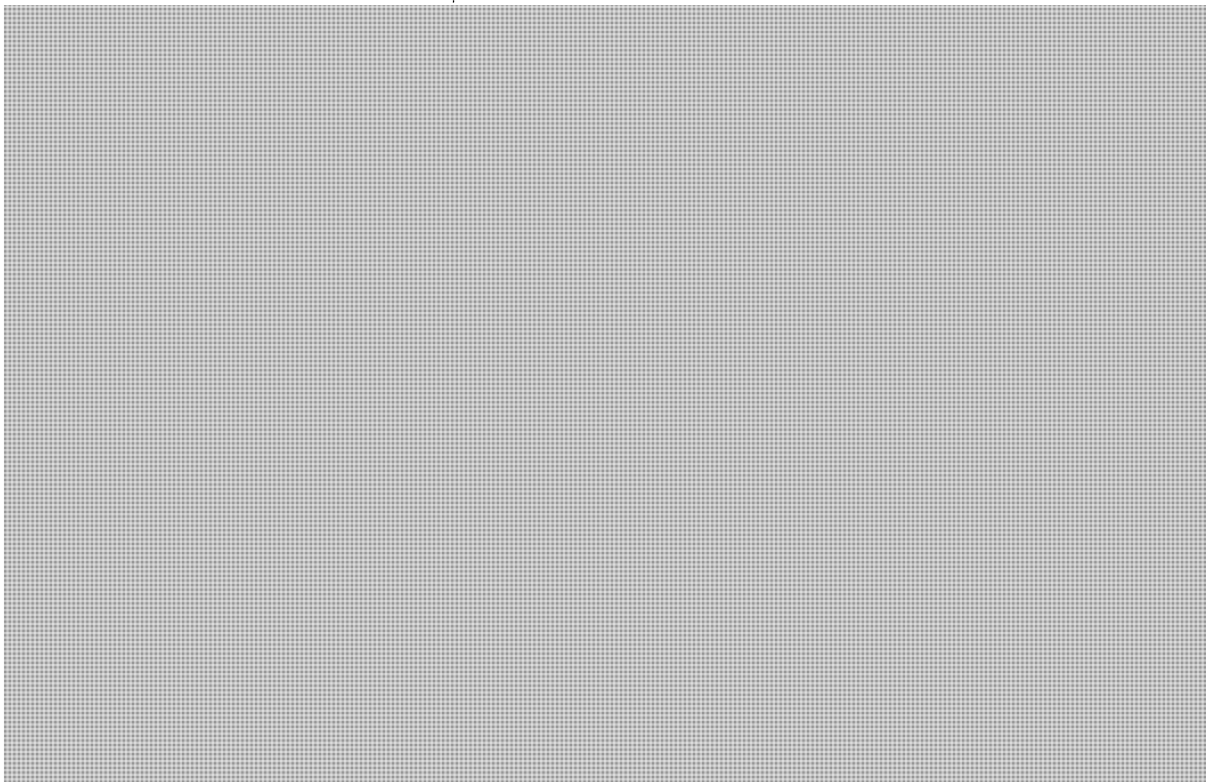
**PROTECTED B**

C17. As stipulated in the rules set out in the Maison Painchaud CRF Resident's Guide,<sup>56</sup> each resident who travelled was required to report in person or by cellphone every two hours, or as directed by the clinical worker. Starting on May 27, 2019, the reporting frequency was increased to three hours. The only movement calls/reports **GALLESE** made to confirm he was at a specific location where when he called the CRF from a landline. A review of **GALLESE**'s report on movement history showed that most of the movement calls were made from his cellphone, [REDACTED] using a landline.

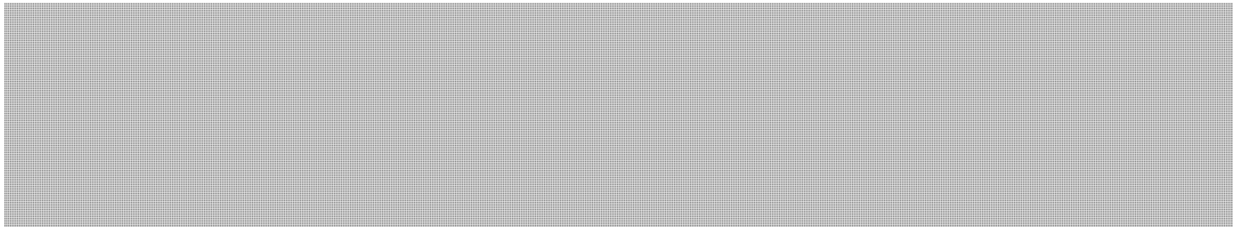
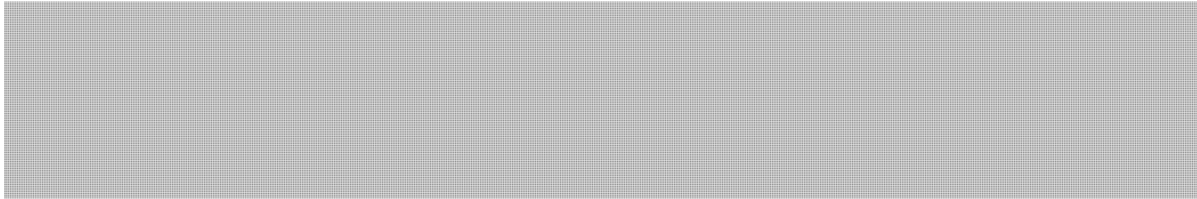
Overall, **GALLESE** complied with his movement call times, except on the following dates:

[REDACTED] The comments recorded in the CRF's internal log indicated that in each of these cases, **GALLESE** failed to report upon arriving at work. The BOI noted that, apart from July 22, 2019, when the intake worker contacted **GALLESE** to inquire about his movements, the intake workers did no further follow-up, except to indicate in the log that there had been a "report"-type breach.

**(Underlying Issue)**



**PROTECTED B**



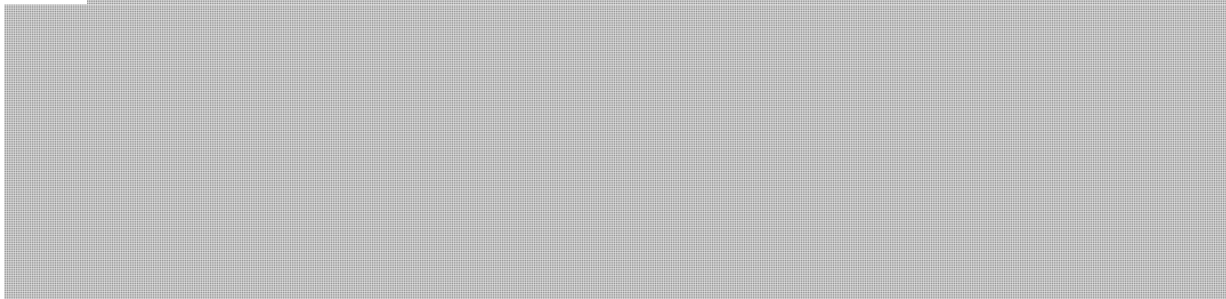
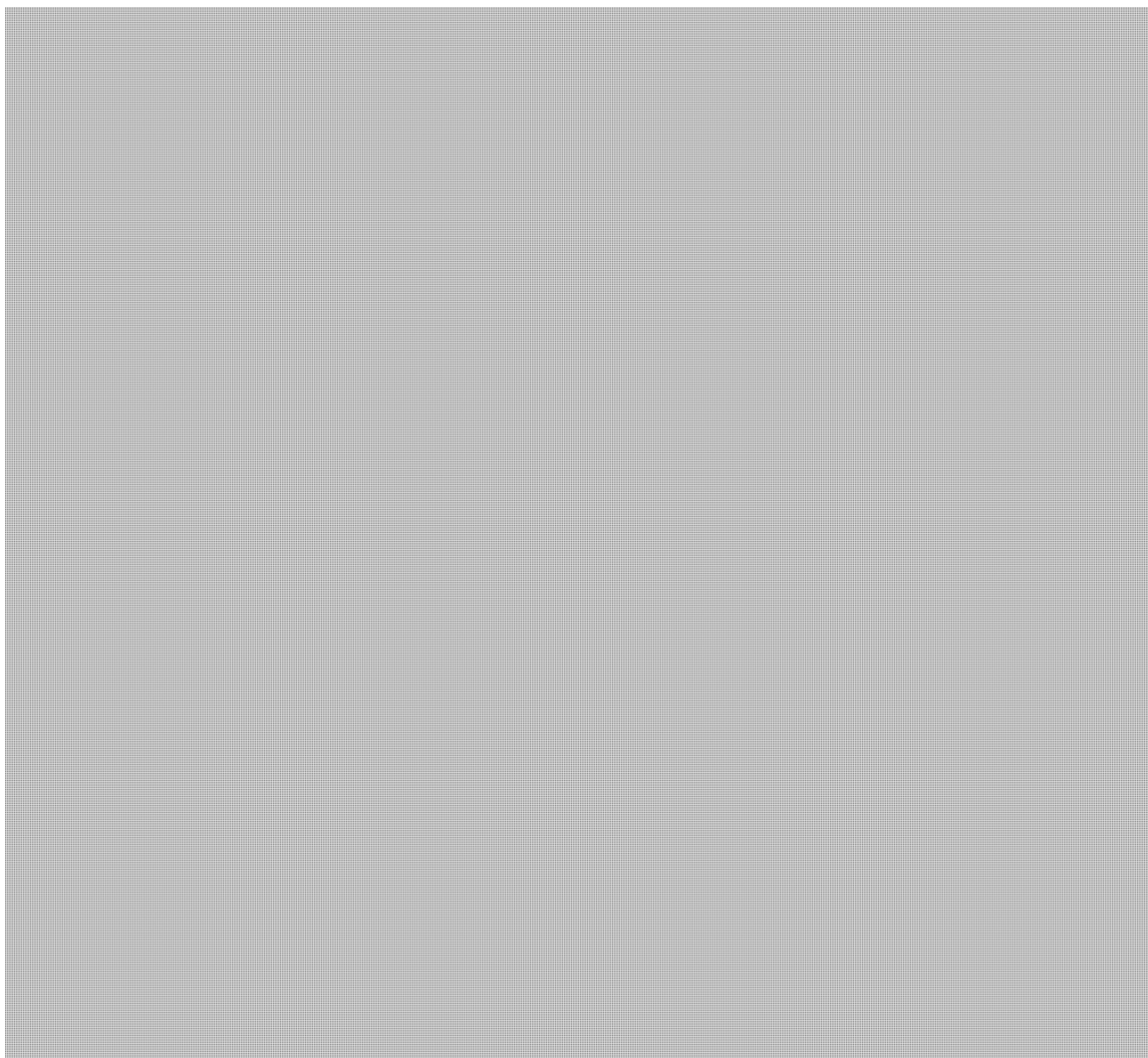
. Through **GALLESE**'s DP period, no caseworker contacted [redacted] who was considered part of his network of collateral contacts, which was contrary to Commissioner's Directive 715-1 – Community Supervision, paragraph 30 (April 15, 2019).<sup>57</sup> (**Compliance Issue**)

**C21.** The BOI concluded that during the summer of 2019, **GALLESE** had visited massage parlours for sexual purposes on three occasions known to his clinical worker at the Maison Painchaud CRF. The respective casework records in OMS indicated that prior to each visit, **GALLESE** had notified his clinical worker before going and that he had discussed his experience after each visit. **GALLESE** also informed his clinical worker of the nicknames used by the three women he had met. The BOI found that the clinical worker could not corroborate this information to determine whether the offender actually met different individuals after each visit.

**C22.** The BOI was unable to obtain information from the caseworkers involved in the decision-making to authorize **GALLESE** to visit massage parlours for sexual purposes—both from the Maison Painchaud CRF and CSC—as they, under the advice of their counsel, did not want to discuss their reasoning for the decision with the BOI. However, the BOI obtained a copy of a document<sup>58</sup> prepared by the Québec Area Parole Office and produced on

**PROTECTED B**

January 27, 2020, which explained the reasoning for their decision, including the following excerpt:



**C24.**

The BOI found that the clinical workers never did any checks to corroborate his attendance at those groups, contrary to Commissioner's

**PROTECTED B**

Directive 715-1 – Community Supervision, paragraph 30 (April 15, 2019).<sup>61</sup> **(Compliance Issue)**

**C25.** The BOI found that only one visit was conducted by the clinical worker outside the Maison Painchaud CRF—on July 15, 2019—[REDACTED] where **GALLESE** worked.

During that visit, the clinical worker met with **GALLESE** and then with [REDACTED]

The BOI

[REDACTED] concluded that the frequency of meetings with **GALLESE** in the community was insufficient, contrary to Commissioner’s Directive 715-1 – Community Supervision, paragraph 27 (April 15, 2019),<sup>62</sup> which stipulated that contacts with the offender would include community visits to ensure the PO (clinical worker for direct supervision) gathers information about the offender in their environment. In a meeting with the BOI, some employees of the CRF indicated that the Québec Area Parole Office had told them that supervision meetings outside the CRF should be carried out on a monthly basis. Recognizing this requirement from CSC, they argued that their workload did not allow them to meet this frequency. **(Compliance**

**Issue)**

[REDACTED]

[REDACTED] The detailed and complete report was completed within the time limits prescribed by the policy,<sup>63</sup> and in accordance with the content required in the template for preparing [REDACTED]

**C27.** Following the PBC hearing on September 19, 2019, the Area Director (AD) of the Québec Parole Office met individually with CSC employees who were involved in the decision to authorize **GALLESE** to visit massage parlours for sexual purposes. He informed them that this plan was inappropriate and that such a risk management strategy should never be proposed again.

**PROTECTED B**

**C28.** On September 24, 2019, during a weekly supervision meeting, **GALLESE** and his clinical worker at the Maison Painchaud CRF discussed the PBC's decision on September 19, 2019, to prohibit him from visiting massage parlours for sexual purposes. They addressed his intimate, sexual and emotional spheres, and **GALLESE** was encouraged to reflect on his intentions to satisfy his physical and emotional needs. [REDACTED]

**C29.** On October 9, 2019, **GALLESE** was assigned to a new clinical worker at the Maison Painchaud CRF. During the interview with the BOI, the clinical worker indicated that he did not have detailed knowledge of the index offence and that he was not aware of the offender's offence cycle involving emotional disorganization. Furthermore, he told the BOI that he never discussed the initial offence with **GALLESE** during the multiple meetings he had with him. In preparation for **GALLESE**'s supervision, the clinical worker consulted the following documents: the Assessment for Decision and Correctional Plan Update prepared on August 1, 2019, to continue **GALLESE**'s DP; the PBC Decision Sheet prepared on September 20, 2019; the casework records in OMS in the month prior to being assigned to **GALLESE**; the CAs carried out with **GALLESE**'s family and the psychological assessment dated June 21, 2017. As the list of documents consulted was reduced, the BOI determined that this could result in an incomplete understanding of **GALLESE**'s offence cycle, contrary to Commissioner's Directive 700 – Correctional Interventions, paragraph 10(g) (May 15, 2017),<sup>65</sup> which stipulates that a comprehensive file review should be completed. **(Compliance Issue)**

**C30.** Following a review of several casework records, the BOI found that **GALLESE**

[REDACTED] In this context, the clinical worker explained to the BOI that he took it for granted that the mere fact that **GALLESE** had understood that he could no longer visit massage parlours for sexual purposes was sufficient and that no further checks or follow-up were necessary.

**PROTECTED B**

[REDACTED]

[REDACTED] as per the policy.<sup>66</sup> However, the BOI found that none of the clinical/ [REDACTED] notes had been recorded in OHIS-EMR before January 23, 2020.

The BOI concluded that this delay had no impact on the risk management or clinical management of the case because the [REDACTED] was still assigned to **GALLESE** at the time of the incident on January 22, 2020. However, the BOI believes that the delay in the entry of clinical/ [REDACTED] notes in OHIS-EMR is contrary to the *Integrated Mental Health Guidelines*, paragraphs 6 and 12.1.2 (May 31, 2019),<sup>67</sup> and the Professional Code, *Regulation respecting the keeping of records and consulting-rooms by psychologists*, chapter C-26, r. 221, O.C. 448-92, section 6.<sup>68</sup> This section indicated that the *psychologist shall keep the record of each client up to date until he ceases to provide professional services to the client.*

**(Compliance Issue)**

[REDACTED]

[REDACTED] The BOI concluded that, as prescribed in Commissioner's Directive 700 – Correctional Interventions, paragraph 10(d) (May 15, 2017),<sup>69</sup> the continuity and communication of all interventions with the CMT were not ensured. **(Compliance Issue)**

**C33.** According to the information in the casework records, the BOI found that following **GALLESE**'s meeting with his clinical worker at the Maison Painchaud CRF on September 24, 2019, the subject of visiting massage parlours for sexual purposes was apparently only discussed once—on October 1, 2019— [REDACTED] According to [REDACTED]



**PROTECTED B**

However, according to a memo<sup>70</sup> the BOI obtained that was prepared by the acting Director of the East-West District, Quebec Region, on January 24, 2020, the CRF team lead confirmed that following the hearing on September 19, 2019, the clinical worker and **GALLESE** had discussed the prohibition on visiting massage parlours, but it was not recorded in the casework records. According to this memo, **GALLESE** expressed disappointment, but respected this decision to prohibit him from visiting those places. The team lead also indicated that during a weekly supervision meeting with his clinical worker in December 2019, **GALLESE** returned to the topic, stating that he had appreciated his three visits to massage parlours for sexual purposes and that it had helped him in his personal path. He reiterated his disappointment but said that he respected the decision. The BOI concluded that the failure to document this information was contrary to Commissioner’s Directive 715-1 – Community Supervision, paragraph 4(k) (April 15, 2019),<sup>71</sup> which states that all relevant information about the offender’s circumstances must be entered in a casework record. **(Compliance Issue)**

**C34.** On October 13, 2019, **GALLESE** was granted a travel permit to go to the

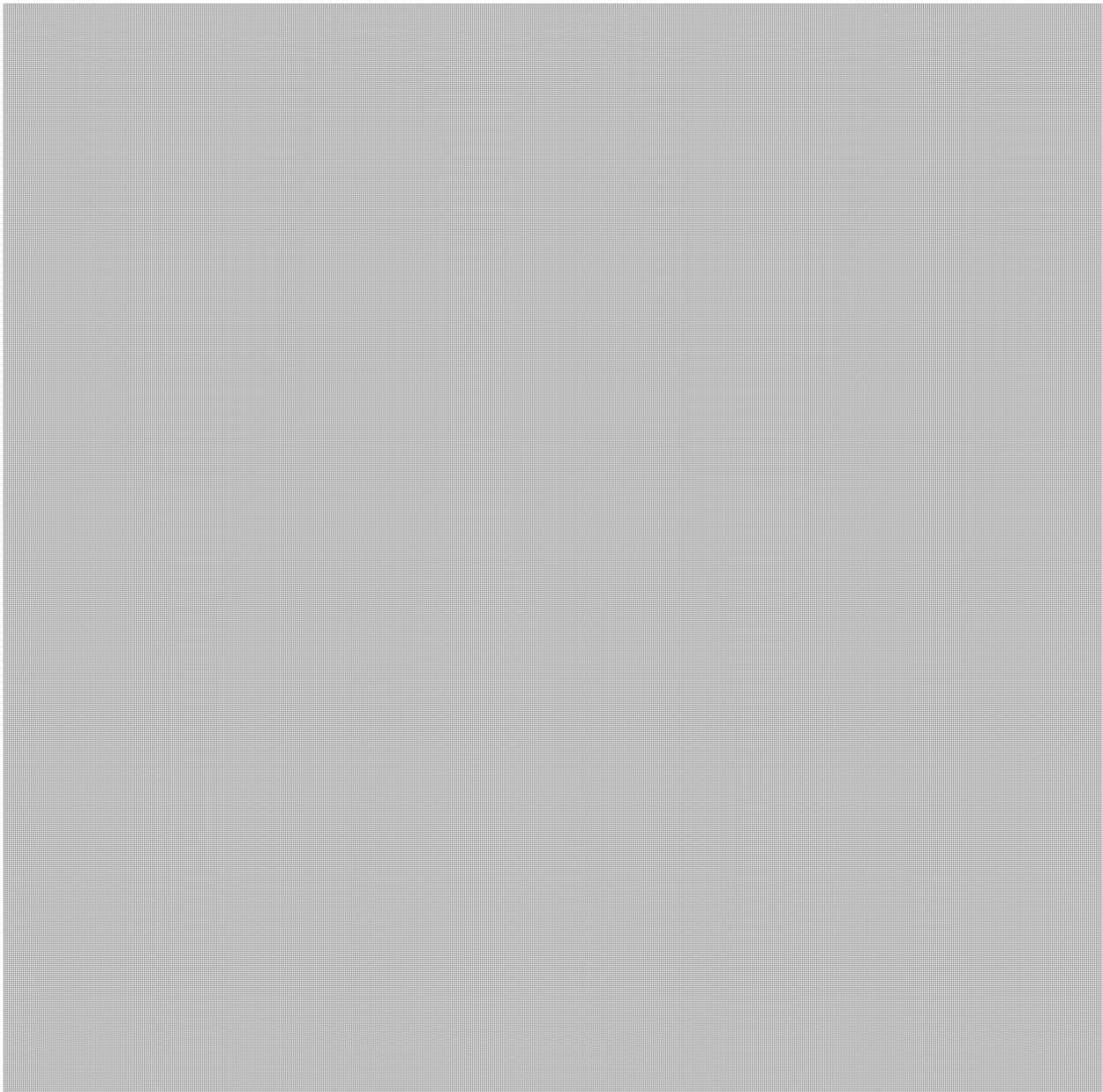
According to the Maison Painchaud CRF’s internal document entitled “*weekend leave*”, the name of a woman who participated in that meeting was included as a contact. **GALLESE** was also accompanied by [REDACTED]. After that meeting, **GALLESE** and [REDACTED] for the day and **GALLESE** returned to the CRF in the evening. Following this travel permit, his clinical worker at the CRF did not contact the contact person or [REDACTED] to confirm the scheduled travel had taken place, contrary to Commissioner’s Directive 715-1 – Community Supervision, paragraph 50 (April 15, 2019).<sup>72</sup> **(Compliance Issue)**

**C35.** On October 22, 2019, **GALLESE** called his clinical worker at the Maison Painchaud CRF to inform him that he had just been stopped by the police for a road check. Following **GALLESE**’s call, the clinical worker did not follow up with the police for details of this road

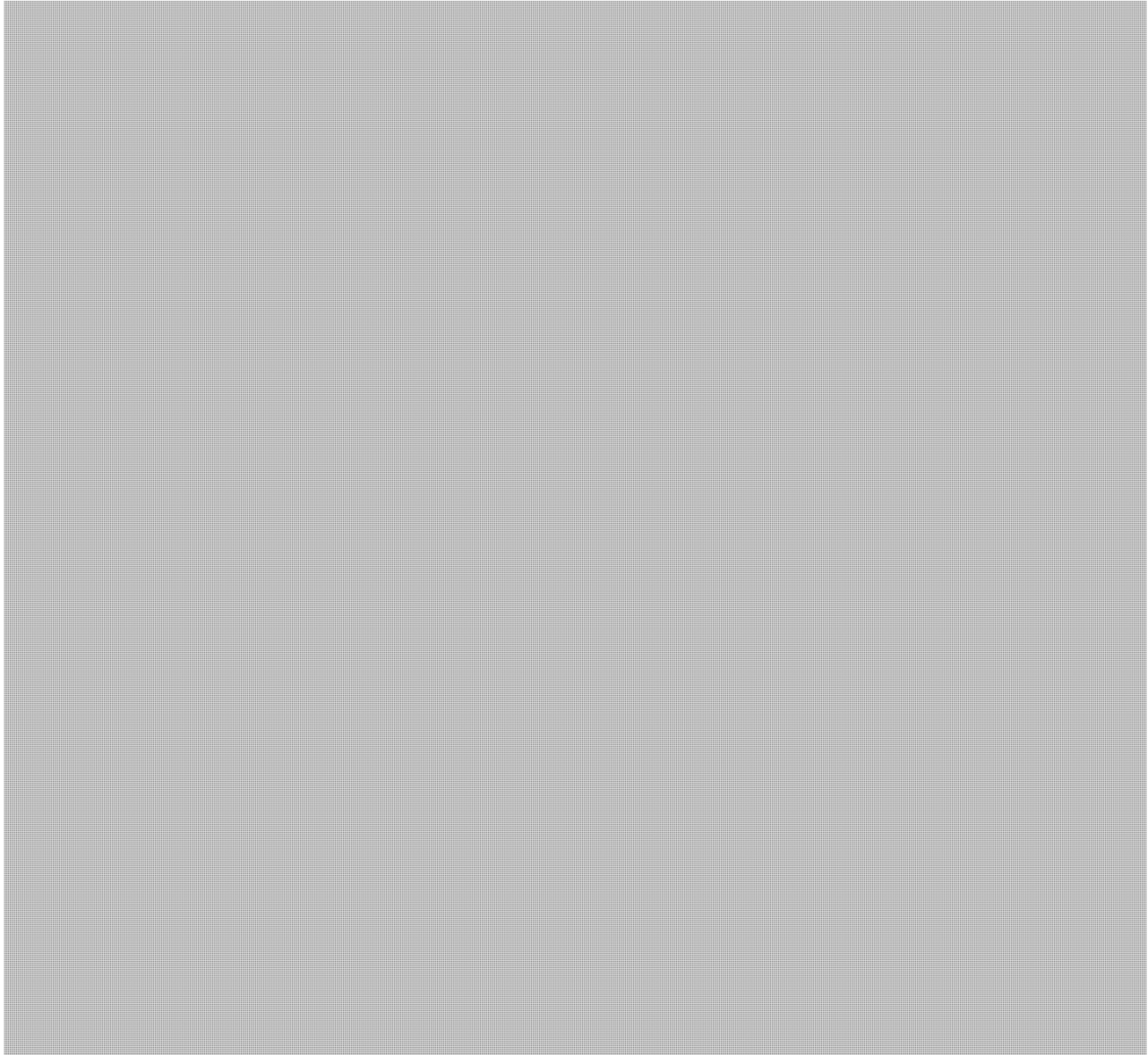
**PROTECTED B**

check. The case management tool, POpedia,<sup>73</sup> which provides policy details, states that: [translation] “*Confirming the nature of run-ins with the police is essential. A seemingly routine interaction with an offender may reveal broader issues that the parole officer will be in a better position to assess to determine if there is an increased risk.*” For the entirety of **GALLESE**’s parole period, there were no contacts between the CRF clinical workers and the local police to confirm to that **GALLESE** did not have any legal issues, contrary to Commissioner’s Directive 715-1 – Community Supervision, paragraph 30 (April 15, 2019).<sup>74</sup>

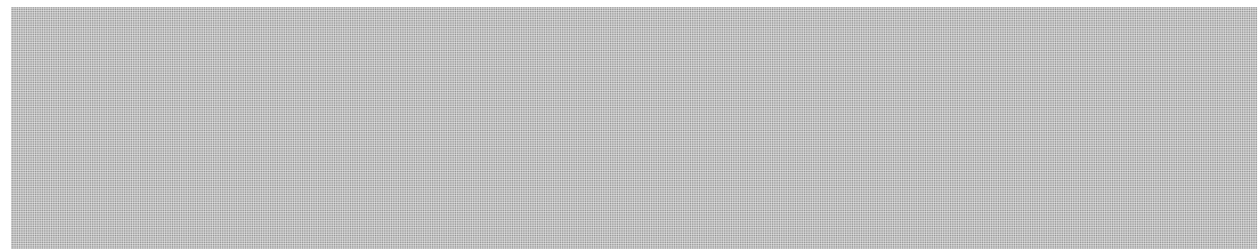
**(Compliance Issue)**



**PROTECTED B**



Given the nature of **GALLESE**'s violent offences against women in a spousal context, the BOI believes that there should have been closer contact with this resource to properly monitor the offender's behaviour and risk, in accordance with Commissioner's Directive 715-1 – Community Supervision, paragraph 30 (April 15, 2019).<sup>75</sup> **(Compliance Issue)**



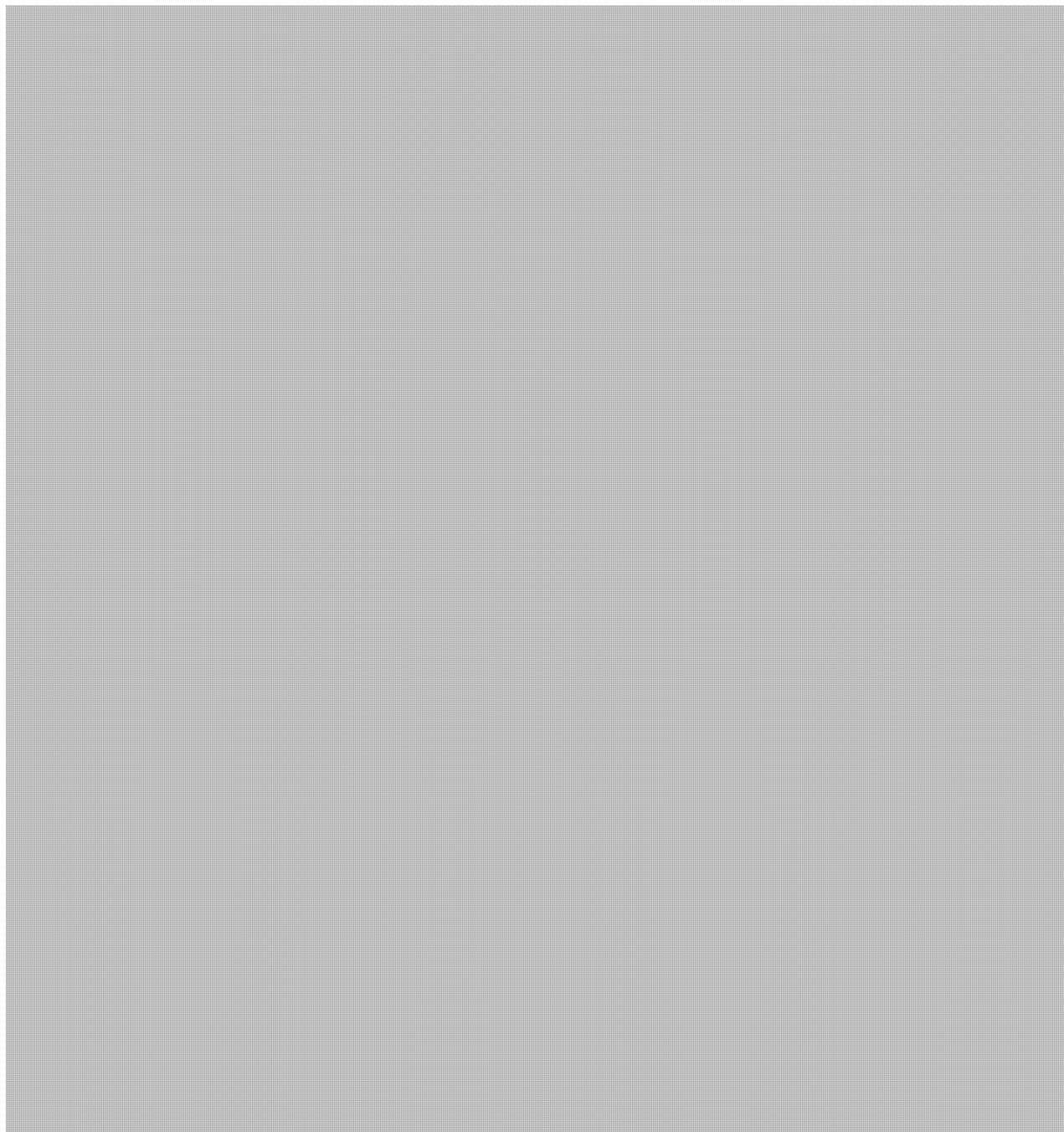
**PROTECTED B**

**C42.** The BOI found that, on many occasions during his release, **GALLESE** visited his [REDACTED]. The clinical worker at the Maison Painchaud CRF only contacted [REDACTED] twice, on May 14 and July 31, 2019. Furthermore, no contact was established between the clinical worker and [REDACTED]. **GALLESE** also regularly visited [REDACTED], with whom he participated in numerous activities. However, no follow-up calls were made to [REDACTED] and aside from a meeting with [REDACTED] on July 17, 2019, no further contact to confirm his activities and behaviour was made [REDACTED]. The BOI concluded that the failure to corroborate information with **GALLESE**'s network of collateral contacts was contrary to Commissioner's Directive 715-1 – Community Supervision, paragraph 30 (April 15, 2019).<sup>76</sup> In a meeting with the BOI, [REDACTED]

[REDACTED] also told the BOI that the pre-incident indicators of the January 22, 2020 offence were similar to those of the 2004 offence, [REDACTED]. He said he was surprised that he had not been contacted by **GALLESE**'s clinical worker during his release, especially in the months leading up to the offence. **(Compliance Issue and Underlying Issue)**

**PROTECTED B**

**Recommendation 2: Given the shortcomings in terms of contact with collateral contacts and the fact that most of what the offender reported was not corroborated by the CMT, thereby impacting risk management, the BOI recommends that CSC revise Commissioner's Directive 715-1 – Community Supervision to include a quality control mechanism with a network of collateral contacts.**



**Pages 67 to / à 68  
are withheld pursuant to section  
sont retenues en vertu de l'article**

**19(1)**

**of the Access to Information Act  
de la Loi sur l'accès à l'information**

**PROTECTED B**

**C53.** The BOI found that **GALLESE**'s movement history during the daytime on January 22, 2020, indicated that he left the Maison Painchaud CRF at approximately 3:49 p.m., noting that he would go to a pizzeria and then to an [REDACTED]. At around 5:44 p.m., **GALLESE** contacted the CRF on his cellphone to confirm that he had reached his destination.

At around 8:25 p.m., **GALLESE** contacted the CRF, also using his cellphone, to confirm that he was at the [REDACTED]. In an interview with the BOI, the caseworker on duty at the CRF's front desk the evening of January 22, 2020, indicated that he vaguely remembers **GALLESE** telling him that the [REDACTED] ended at 9:30 p.m. The caseworker did not notice any change in behaviour or tone of voice. Concerned about **GALLESE**'s absence at around 12:30 a.m., the night-shift caseworker tried to contact him several times but was unsuccessful.

During his interview with the BOI, the night-shift caseworker at the CRF explained that, given **GALLESE**'s habit of never arriving after 12:30 a.m., he did not consider it necessary to report to CSC's NMC on **GALLESE**'s failure to return for his 11:00 p.m. curfew, on account of his variable schedule. The BOI concluded that the protocol for a curfew violation did not comply with the Contract Agreement, paragraph 51, page 18 (March 31, 2016),<sup>77</sup> which stipulated that *in the event of a curfew violation [...], the employees must take immediate action to locate the offender. The CRF must report to CSC if the offender cannot be located within a maximum delay of ten (10) minutes.* This breach was intrinsically linked to the authorization of a variable and arbitrary schedule by his CMT at the CRF. **(Compliance Issue)**

**PROTECTED B**

**C54.** On January 23, 2020, at around 1:15 a.m., the Québec City Police Service contacted the Maison Painchaud CRF to inform the caseworkers that **GALLESE** was under arrest. At around 1:20 a.m., the CRF contacted CSC's NMC to share information received from the investigator. At around 1:25 a.m., the NMC contacted the investigator to get more details about the reason for the arrest. During this call, the NMC was informed that **GALLESE** would be charged with homicide. Following that call, the NMC issued a warrant to suspend **GALLESE**'s conditional release at around 1:37 a.m.

**C55.** The Correctional Plan Update dated November 5, 2018, indicated that **GALLESE** had





## PROTECTED B

### Investigation Area D: the level of training required in relation to each caseworker's role and the compliance rate;

**Finding D:** The BOI found that all caseworkers involved in **GALLESE**'s case management met the essential qualifications in terms of academic training. Both CSC and Maison Painchaud CRF caseworkers met the respective requirements for continuous and mandatory training. The BOI found that the continuous training and compliance requirements of these two organizations differed considerably from each other, creating a major discrepancy between the quality of training required for CRF clinical workers and CSC POs.

In addition, the BOI found that there was no recent or ongoing training on domestic violence in the training plans for CSC case management workers.

#### Supporting Facts

**D1.** On the CSC side, the BOI identified nine caseworkers involved in the management and supervision of **GALLESE**:

[REDACTED] With respect to the Maison Painchaud CRF, three clinical workers and their team lead were identified.

#### Correctional Service of Canada Caseworkers

**D2.** For CSC caseworkers involved in the management and supervision of **GALLESE**, the essential training qualifications required having a bachelor's or diploma in applied arts from a recognized university or college in an area focused on understanding and evaluating human behaviour. The BOI confirms that all the CSC caseworkers directly or indirectly involved with **GALLESE** met the required academic qualifications, and all held a bachelor's degree from a recognized university.

**D3.** In addition to academic requirements, candidates interested in becoming POs at CSC had to have completed mandatory training. Training for POs was established in 1991. It was

## PROTECTED B

the two-week in-class Parole Officer Orientation Program. In 2006, a CSC working committee<sup>78</sup> conducted an in-depth analysis of the tasks and activities required to perform the work of a PO, both in institutions and in the community. This analysis led to the identification of 13 task areas that formed the basis for developing the *Parole Officer Induction Training* (POIT). This training lasts 15 days, for a total of 112.5 hours. The POIT allows staff who would like to work as a PO to meet the basic requirements of the position prior to the commencement of duties. The objective is to ensure that the POIT, as a mandatory training and an essential component of the PO appointment process, is administered in a consistent, fair and transparent manner that helps ensure that the Values and Ethics Code for the Public Sector and CSC's Mission are followed. The BOI found that all CSC caseworkers involved the management and supervision of **GALLESE** met the requirement of having completed the POIT.

**D4.** CSC's Learning, Training and Development Guidelines (June 1, 2016) list CSC's learning priorities, which include compliance with the National Training Standards (NTS). These allow employees to meet the basic learning and development requirements to perform their duties. These standards reflect the minimum level of training that employees must receive. Each year, POs and PO supervisors are required to participate in the Parole Officer Continuous Development (POCD) training. In addition, they must have completed the following training: Community Personal Safety, Spousal Assault Risk Assessment, Custody Rating Scale, Criminal Risk Index, biannual renewable training on suicide and self-injury intervention.

**D5.** CSC's Learning and Development Branch coordinates all training and courses offered by the organization. Each CSC region (Pacific, Prairies, Ontario, Quebec and Atlantic) has a Correctional Learning and Development Centre (CLDC) that offers front-line training activities. One of their many roles is to manage the training activities of CSC employees in their respective regions. They must also monitor mandatory training requirements and implement development training initiatives.

**D6.** The BOI concluded that the nine CSC caseworkers involved in the **GALLESE** file, either directly or indirectly, had achieved 100% compliance with NTS and POCD. To reach this conclusion, the BOI reviewed the summary of training each caseworker received since

## **PROTECTED B**

their respective arrival at CSC. In addition, all CSC employees must participate in a Performance Management Program, an annual process that runs from April 1 to March 31, which allows managers to assess and measure the performance of employees under their supervision and based on their work objectives and core competencies. In mid-year (late September), managers and employees review performance and identify any impediments an employee may face in achieving their objectives. One objective that all employees share is to have completed the annual NTS and be accountable for them.

**D7.** CSC employees also have access to the Canada School of Public Service (CSPS), which offers online and classroom training. In addition to some mandatory training for federal public servants, the CSPS aims to improve professional skills on a voluntary basis.

**D8.** CSC's Learning and Development Branch has also made a CSC online training portal available to all CSC employees. This portal includes numerous training courses such as reintegration. These include: the online study package for POs and all the mandatory training listed above.

**D9.** CSC employees also have access to POPedia, CSC's wiki for case management. This learning resource is an online tool designed to help case management staff by providing them with access to a multitude of information that often clarifies their day-to-day tasks set out in the policy. Although not aligned with the platform providing access to the Commissioner's Directives, Guidelines and tools related to these policy instruments, this training resource is a knowledge management system that is conducive for collaboration and learning, and it is part of the Structured Assessment and Intervention Framework.

### **Maison Painchaud CRF Caseworkers**

**D10.** For the Maison Painchaud CRF clinical workers, in accordance with clause 15(c) of the Statement of Work between the Maison Painchaud CRF and CSC, direction supervision staff must have received a university education (bachelor's degree) from a recognized university in an area focused on understanding and evaluating human behaviour. The BOI

## PROTECTED B

confirms that all the CRF caseworkers involved with **GALLESE** met the required academic qualifications, and all held a bachelor's degree from a recognized university.

**D11.** Five mandatory training sessions are offered to caseworkers at the Maison Painchaud CRF; these are not prerequisites to employment. These training courses are: first aid in the workplace; crisis response; personality disorders; sexual offending (in-house training) and writing pre-sentence reports. Several factors may affect when caseworkers can receive their mandatory training, including the number of participants required, the external training schedule and the trainers' availability. The BOI determined that the CRF caseworkers' rate of compliance with mandatory training was met based on the random factors mentioned earlier. The first two clinical workers and the team lead had completed their training, while the final clinical worker assigned to **GALLESE**—who was hired on September 9, 2019—had completed two of the five mandatory training courses.

**D12.** The Maison Painchaud CRF is an active member of the Association des services de réhabilitation sociale du Québec (ASRSQ). Among the services offered to its members and their employees, the ASRSQ offers a continuing education program related to the work of CRF employees. These training activities are made possible through the financial collaboration of CSC and Quebec's Correctional Services.

**D13.** Following a consultation with CSC's Community Resource Coordinator for the Quebec Region, the BOI was informed that there is also a tripartite committee consisting of CSC staff, representatives of Quebec's Correctional Services and members of the ASRSQ. This committee addresses, among other things, elements of harmonization of standards and practices common to the two government bodies, as several CRFs, such as the Maison Painchaud CRF, accommodate a mixed clientele (federal and provincial). One of these elements is the compliance of CRFs. In fact, compliance standards are established and address all the administrative and operational aspects of these CRFs. The BOI concluded that CSC Regional Community Resources Coordinator is a position unique to the Quebec Region. It contributes to effective communication between community resources while ensuring their practices are consistent.

## PROTECTED B

**D14.** The tripartite committee does not interfere with the training ASRSQ offers to its members, such as the Maison Painchaud CRF. However, the tripartite committee ensures—through compliance standards—that CRFs have a training and development plan in place. CSC manages the ASRSQ’s training contract, which provides for the reimbursement of 11 training courses that meet the contractual requirements. Each CRF is responsible for selecting the appropriate training from the list of training offered by the ASRSQ.

**D15.** At the Maison Painchaud CRF, each caseworker had an individual development plan developed following their performance assessment (at the end of the six-month probation period, and annually thereafter). Based on the employee’s assessment, CRF management identified their development needs. The first two clinical workers involved in **GALLESE**’s file, as well as their team lead, had all participated in some continuing training while they were employed by the resource. As noted, continuous training varied from caseworker to caseworker, so it was not homogeneous.

**D16.** The BOI found that CSC case management workers had not received recent and specialized training on domestic violence. The last training provided to POs was in fiscal year 2004-05. **(Underlying Issue)**

**Recommendation 3: Since specific training on domestic violence, which is essential for good risk management, is not an integral part of parole officer training, the BOI recommends that CSC integrate training on domestic violence into the Parole Officer Induction Training (POIT) and that this training be offered during the Parole Officer Continuous Development (POCD) training.**

## PROTECTED B

**Investigation Area E:** the quality of the clinical supervision by caseworkers and the quality control of documents;

**Finding E:** The BOI concluded that the quality of the clinical supervision by the case management workers was deficient, particularly with respect to follow-up responsibilities associated with the role of clinical workers. The BOI noted that the caseworkers' roles and responsibilities at both organizations were not clearly defined. It found that the quality control of documents was done in accordance with the standards set out in the contract agreement.

The BOI was not able to judge the quality of the content of the case conferences because the policy in place is vague and non-binding regarding the specific content of the case conferences. It was determined that the discussions held during these case conferences did not identify any major deficits in GALLESE's supervision or an elevated risk in time to implement the necessary interventions.

### Supporting Facts

**E1.** Under the contractual agreement<sup>79</sup> between the Maison Painchaud CRF and CSC, the CRF was responsible for the quality control of operations and the various reports written by clinical workers. Also under this agreement, CSC was responsible for countersigning all reports produced by the CRF to ensure that all the relevant information was there. However, according to the policy,<sup>80</sup> CSC's POS was responsible for ensuring quality control of case management. As well, according to another policy,<sup>81</sup> the POS was responsible for overseeing the work of contract staff responsible for CAs and supervising offenders conditionally released.

**E2.** The role and responsibilities of a liaison PO were not an official position of CSC, and no job descriptions were associated with it. **(Underlying Issue)**

**PROTECTED B**

**E3.** During **GALLESE**'s DP period, six formal reports were completed by the clinical workers or the CRF's team lead, including three Staff Safety Assessments, two Correctional Plan Updates and one Assessment for Decision. The three Staff Safety Assessment reports dated March 29, June 29 and October 8, 2019, were all countersigned by a POS, in accordance with the contractual agreement<sup>82</sup> and the policy.<sup>83</sup> The Correctional Plan Update reports dated March 29, 2019 and August 1, 2019, as well as the Assessment for Decision dated August 1, 2019, were completed by the clinical worker and countersigned by a POS, in accordance with the contractual agreement.<sup>84</sup> The BOI found that the quality of the reports submitted and their contents complied with the policies.<sup>85,86</sup> The BOI noted that these reports included the following information: [translation] *This report was written in its entirety by the Maison Painchaud CRF. The liaison officer shall only ensure compliance with the legal criteria and the validity of risk management.*

**E4.** Within the required 30-day timeframe from **GALLESE**'s release on DP, the clinical worker at the Maison Painchaud CRF had reviewed the Correctional Plan Update, the Community Strategy, the level of intervention, program recommendations and **GALLESE**'s level of adjustment. According to the policy,<sup>87</sup> this initial review of the Correctional Plan, as it is called in OMS, was to be completed in collaboration with CSC's POS. Based on the casework records on file, a case conference for the initial review of the Correctional Plan was held on April 17, 2019, between the clinical worker and his team; an intern from the Maison Painchaud CRF was also present. This intern prepared the initial review of the Correctional Plan, and the CRF's clinical worker approved and entered it into OMS. However, the BOI determined that the liaison PO and the POS were not involved in this process, contrary to Commissioner's Directive 715-1 – Community Supervision, paragraph 23 (April 14, 2019).<sup>88</sup>

**(Compliance Issue)**

**E5.** In an interview with the BOI, the liaison POs assigned to the Maison Painchaud CRF indicated that their responsibilities did not include a review of the content of the casework records, as the CRF directly supervised **GALLESE**. In an interview with the PO, the CRF team lead told the BOI that he periodically checked the quality of the casework records, but

**PROTECTED B**

that no specific protocol had been put in place to verify the information recorded in OMS.

**(Underlying Issue)**

**E6.** Case conferences are a necessary method for checking the quality of clinical supervision. Specifically, the Québec Parole Office stated that case conferences should be held twice a month at the Maison Painchaud CRF. Case conferences between the clinical worker, his team lead and the liaison PO were held at the established frequency. However, the BOI is unable to judge the quality of the content of the case conferences because the policy in place is vague and non-binding regarding the specific content of case conferences. In **GALLESE**'s case, the discussions held during these case conferences did not identify any major deficits in the offender's supervision or an elevated risk in time to implement the necessary interventions. Commissioner's Directive 715-1 – Community Supervision, paragraph 39 (April 15, 2019),<sup>89</sup> states that regular case conferences will be held: to discuss release plans or a change in the release plan; prior to completion of a Correctional Plan Update or an Assessment for Decision; to reassess risk and review progress; and to discuss any required interventions for the offender. In an interview with the BOI, one CSC employee noted that since **GALLESE** was not considered a problematic offender, the case conferences were sometimes short. **(Underlying Issue)**

**Recommendation 4: Since the case conferences did not help in identifying major shortcomings in the offender's supervision, the BOI recommends that CSC develop a case conference instrument that includes minimum indicators.**



## PROTECTED B

### Investigation Area F: the direct offender supervision practices of our CRF partners;

**Finding F:** The BOI found that the direct supervision of offenders by the Maison Painchaud CRF was not at the same level as that conducted by CSC. Caseworkers at the CRF did not receive the training provided by CSC to its POs, and did not benefit from the guidance or clinical supervision provided by a POS.

The BOI found that despite the contract agreement between the two organizations, there was much confusion regarding the caseworkers' roles and responsibilities on the file at both CSC and the Maison Painchaud CRF. Although all of the caseworkers agreed on CSC's accountability for final decisions, the sharing of responsibilities with respect to risk management strategies and the quality of supervision activities lacked clarity and direction.

### Supporting Facts

**F1.** As noted in Investigation Area D, the BOI found that the clinical workers at the Maison Painchaud CRF, as well as the team leads, had not received the basic training offered by CSC for POs. This training is mandatory before a CSC employee can act as a PO. In addition, continuing and mandatory training for POs is not available to CRF caseworkers. The BOI believes that this inconsistency is difficult to justify, as the responsibilities and expectations regarding interventions and reporting are the same for both POs and CRF clinical workers with direct supervision responsibility. **(Underlying Issue)**

**F2.** The BOI noted that a liaison PO was assigned to the CRF and acted as an intermediary between the Maison Painchaud CRF and the POS but was also responsible for the initial quality control of the reports prepared. In addition, he provided guidance on case management. The liaison PO attended case conferences with CRF caseworkers twice a month but did not meet with offenders at the CRF. The BOI noted that there were no official job descriptions for the liaison PO position but noted a similarity to the duties of a POS, thus confusing the roles, responsibilities and authorities. In a meeting with the BOI, this confusion was clearly mentioned by the three liaison POs interviewed. One of these caseworkers told the BOI that, in

**PROTECTED B**

general, he felt uncomfortable intervening with clinical workers to direct them on their supervision duties because he said direct supervision implied that the CRF was wholly responsible for case supervision. **(Underlying Issue)**

**F3.** During its investigation, the BOI found that a POS was indirectly assigned to offenders at the CRF. Typically, the clinical worker would discuss the day-to-day issues that were raised on the file with the CRF team lead. When a larger issue arose, the clinical worker or team lead would discuss it with the liaison PO, and the POS was subsequently consulted or notified of a particular situation if the liaison PO felt it was necessary. This method of communication posed a number of risks with respect to the completeness of the information that was being transmitted, as the information went through three people before going to the POS. In addition, the POS never went to the CRF and never met with the CRF caseworkers or offenders. The BOI is of the view that this management model proved to be ineffective in supervising **GALLESE** and managing his risk, making it more difficult for CSC to fulfill its mandate of protecting society. **(Underlying Issue)**

**F4.** In the context of a CRF with direct supervision, although the POS had decision-making authority over the offender's risk management, he did not have management authority over the CRF caseworkers. If a compliance issue arose, the POS could not intervene directly with the clinical worker or team lead, as they were not CSC employees. In such a situation, the POS would have had to go through CRF management to discuss the situation related to the contract requirements. **(Underlying Issue)**

**F5.** During the investigation, the BOI met with several CSC caseworkers who shared their experiences with various supervision models for a CRF. They unanimously expressed a desire for CSC to resume direct supervision of offenders residing at a CRF. In contrast, the CRF caseworkers told the BOI that direct supervision of offenders was the most interesting aspect of their work.

**Recommendation 5: Given the communication problems between the organizations, the complex decision-making hierarchy, and the disparity in training requirements, the BOI**

**PROTECTED B**

**is of the opinion that the offender's supervision did not meet the minimum expectations of adequate case management. To better monitor offender supervision and fully achieve the mandate of protecting society, as set out in the Act, the BOI recommends that the direct supervision component set out in the contract agreement be taken away from the Maison Painchaud CRF and given back to CSC, and that CSC review the service models with all other CRFs currently responsible for the direct supervision of offenders.**

**PROTECTED B**

**Investigation Area G:** the quality of communications and sharing of information among relevant agencies and/or individuals leading up to the offender's release and during the course of his supervision.

**Finding G:** The BOI concluded that the communication and sharing of information between the FTC, the Québec Parole Office, the Maison Painchaud CRF, the PBC and the police services were adequate when the case was prepared and the offender was released.

The BOI noted shortcomings in the accessibility and sharing of information in **GALLESE's** file between CSC and the CRF during his supervision in the community. However, during this period, the communication and sharing of information between CSC and its other partners was adequate.

**G1.** In preparation for the PBC hearing on March 26, 2019, the key documents to be used in the decision-making process for granting DP were provided to the PBC within the required timeline of at least 28 days prior to the scheduled hearing date, as stipulated in the policy.<sup>90</sup> These documents included the Correctional Plan Updated prepared on October 5, 2018, the CA prepared on November 8, 2018, for the request for accommodation at the Maison Painchaud CRF, the Community Strategy prepared on November 9, 2018, and the Assessment for Decision prepared on December 31, 2018. These documents also included the Information Sharing Checklist Update (CSC form #1197) and the Procedural Safeguard Declaration (CSC form #1198), in accordance with the policies.<sup>91,92</sup>

**G2.** Based on the casework records in OMS and following a consultation with the [REDACTED] the BOI confirmed that discussions with the IPO were held in preparing **GALLESE's** case for his PBC hearing on March 26, 2019. That same day, further discussions were held between the IPO, the POS and the [REDACTED]. The BOI concluded that the sharing of information with the [REDACTED] was in accordance with the policy.<sup>93</sup>

**PROTECTED B**

**G3.** Following the hearing on March 26, 2019, at which **GALLESE** was granted DP, a pre-release consultation was held between the IPO and the POS at the Québec Parole Office. In addition, the IPO contacted the clinical worker at the Maison Painchaud CRF on March 27, 2019, to summarize the file, discuss the release plan and the special conditions imposed. The BOI noted that the requirement for institutional and community case management teams to hold a pre-release consultation was abolished on April 30, 2013, unless a significant change occurred prior to release.<sup>94</sup> Even though there was no information confirming that a significant change had occurred with **GALLESE**, the BOI would like to emphasize that holding these pre-release consultations was a good practice for IPOs.

**G4.** The BOI listened to the audio recording of the PBC hearing on March 26, 2019, to grant **GALLESE** DP. The BOI found that the IPO had provided a verbal summary of the case to the PBC, as per the policy,<sup>95</sup> and that this presentation was complete and reported on **GALLESE**'s progress in a fair and balanced manner.

**G5.** When **GALLESE** was released on March 29, 2019, and as per the policy,<sup>96</sup> CSC was required to share certain information with police services. This task was to be carried out by a case management clerk, who had to send notification by fax to the Québec City Police Service confirming that **GALLESE** was now on parole. His photo and standard profile were attached to the notification and the police were asked to acknowledge receipt. A copy of his release certificate and the PBC decision sheet were to be sent electronically via Infopol (an electronic database designed for CSC and police services to share offender personal information). **GALLESE**'s physical case management file did not contain information confirming that said information had been sent or received. However, according to information obtained from the acting Area Director, confirmation of receipt from the police is random, and the responsibility for checking Infopol falls to the police. However, the BOI can confirm that, as per the policy,<sup>97</sup> the Québec Parole Office had a process for sharing this information with the police.

**G6.** In April 2019, **GALLESE** provided his clinical worker at the Maison Painchaud CRF with a list of collateral contacts, most of whom were community supports. Even though their names and contact information were on the CRF's internal file, none of it was entered in

**PROTECTED B**

OMS, under GALLESE's Standard Profile. As a result, this information was not shared and available to CSC, contrary to the contractual agreement, paragraph 22 (March 31, 2016).<sup>98</sup>

**(Compliance Issue)**

**G7.** According to the casework record dated May 7, 2019, the clinical worker at the Maison Painchaud CRF contacted the [REDACTED] to inquire about possible [REDACTED] if any. The [REDACTED] confirmed to the clinical worker that the [REDACTED]. The BOI concluded that this communication with the [REDACTED] allowed for the supervision of GALLESE's special [REDACTED] and it was consistent with the policy."<sup>99</sup>

**G8.** During GALLESE's DP, [REDACTED] had become an important community support. A formal CA was not considered relevant by the clinical worker at the Maison Painchaud CRF because a CA [REDACTED] had already been carried out in 2007, and she was present at a meeting as part of a CA with [REDACTED] in 2016. However, the clinical worker still met with the [REDACTED] to have him sign a request for a criminal record check in the Canadian Police Information Centre. In accordance with the policies,<sup>100,101</sup> this form (CSC #1279-01) was duly completed, forwarded to the police service and placed in GALLESE's paper case management file.

**G9.** The Maison Painchaud CRF was to develop a Resident Action Plan (RAP) to include the objectives, expectations, services and any other measures that the CRF would take to involve GALLESE in his Correctional Plan. The RAP was to be developed by the clinical worker with the participation of GALLESE and the liaison PO within 30 days of GALLESE's arrival, and every 45 days thereafter. This report was to be recorded in a casework record in OMS. The BOI concluded that these reports were not completed and shared in accordance with Contract Agreement #21120-16-2231344/020, Annex A, Statement of Work, paragraphs 21, 22 and 23 (March 31, 2016).<sup>102</sup> **(Compliance Issue)**

**G10.** In preparation for the PBC hearing on September 19, 2019, for his DP extension and FP review, the key documents to be used in the decision-making process were forwarded to

**PROTECTED B**

**GALLESE** and submitted to the PBC within the required timeline of at least 28 days prior to the scheduled hearing date, as prescribed in the policy.<sup>103</sup> These documents included the Correctional Plan Update and Assessment for Decision prepared on August 1, 2019. These documents also included the Information Sharing Checklist Update (CSC form #1197) and the Procedural Safeguard Declaration (CSC form #1198), as per the policies.<sup>104,105</sup>

**G11.** After listening to the audio recording of the PBC hearing to continue **GALLESE**'s DP and to review FP held on September 19, 2019, the BOI found that the clinical worker at the Maison Painchaud CRF had submitted a verbal summary of the case to the PBC, as per the policy.<sup>106</sup> This presentation was comprehensive and reported on **GALLESE**'s progress in a fair and balanced manner.

**G12.** Based on the casework records in OMS, and after consulting the [REDACTED] the BOI confirmed that the clinical worker at the Maison Painchaud CRF had contacted the [REDACTED] three times for the September 19, 2019 hearing to continue DP. Communications had taken place on July 29, 2019, to inform them of the recommendation to continue DP; on August 27, 2019, to confirm the hearing date; and on September 23, 2019, to inform the [REDACTED] of the outcome of the September 29, 2019 hearing. The BOI concluded that the communication of information with the [REDACTED] was in accordance with the policy.<sup>107</sup>

**G13.** On October 13, 2019 and November 7, 2019, **GALLESE** had considered travelling to the [REDACTED]. As per the policy,<sup>108</sup> travel permits were duly completed and sent electronically to the various police services at the target locations. The [REDACTED] was also notified by the clinical worker at the Maison Painchaud CRF of **GALLESE**'s movements on October 1, 2019 and October 23, 2019, as per the policy.<sup>109</sup> It should be noted that the trip on November 7, 2019, did not happen, [REDACTED]

**G14.** According to a casework record dated November 26, 2019, pertaining to a weekly supervision meeting with his clinical worker, **GALLESE** [REDACTED]

*The use of this information by any person other than the recipients, including distributing, copying or disclosure, is strictly prohibited and may be unlawful.*

**PROTECTED B**

**G15.** On January 23, 2020, at around 1:15 a.m., a police investigator from Québec City contacted the Maison Painchaud CRF to inform them that **GALLESE** had been arrested. At around 1:20 a.m., the CRF contacted CSC's NMC to share information received from the investigator. At around 1:25 a.m., the NMC contacted the investigator to get more details about the reasons for the arrest. Following that call, the NMC issued a warrant to suspend **GALLESE**'s conditional release around 1:37 a.m. This warrant, along with the Notification to Detention Centre Following Execution of a Warrant (CSC form #1338), was sent at around 1:49 a.m. to the Québec City Police Service, and a confirmation of receipt was received at the NMC at around 2:09 a.m. on January 23, 2020. The PBC also received the suspension warrant issued by the NMC. The BOI concluded that, overall, the suspension process for **GALLESE** was expeditious and consistent with the policies.<sup>111,112</sup>

**G16.** When **GALLESE**'s suspension warrant was issued on January 23, 2020,



**PROTECTED B**

**G17.** The Community Incident Report was completed on January 23, 2020, within the one-day timeframe set out in the policy.<sup>115</sup> The District Director's situation report was completed on January 29, 2020, within the five working days set out in the policy.<sup>116</sup>

**G18.** Following that incident, the Critical Incident Stress Management (CISM) protocol was deployed for all affected employees at the [REDACTED] the Québec Parole Office, the Maison Painchaud CRF, as per the policy.<sup>117</sup>

**G19.** The Chairperson of the Québec East-West District Citizens Advisory Committee and the Director General of the ASRSQ were all informed of the incident on January 23, 2020.

**PROTECTED B**

## **FINDINGS – PAROLE BOARD OF CANADA**

**Investigation Area A:** the rationale given by the Parole Board of Canada, including the application of the Risk Assessment Framework (policy 2.1), to explain the March 26, 2019 decision to grant day parole and the September 19, 2019 decision to continue day parole

**Finding A:** The BOI noted that the Board members fully applied the Risk Assessment Framework, as stipulated in policy 2.1, *Assessment for Pre-Release Decisions*, of the *Decision-Making Policy Manual for Board Members*, in the decisions made on March 26, 2019, for the first day parole review, and on September 19, 2019, for the continuation of day parole and a review of full parole.

The BOI found that the written decision of March 26, 2019, complied with the principles of the *Corrections and Conditional Release Act* and the requirements of Board's policy 2.1. It contained a summary of the offender's overall assessment, the case's general findings, as well as the reasons for the decision.

In the decision made on September 19, 2019, and finalized on September 20, 2019, the BOI noted a considerable disparity between the decision shared verbally with the offender at the hearing and the written one. The written decision contained a summary of a number of important elements. However, the information relating to the permissions granted to **GALLESE** by the CMT to visit massage parlours for sexual purposes, as well as the explicit interdiction by the Board members to frequent such parlours, as expressed at the hearing, are not clearly identified. Reading only the written decision could cause confusion because it does not reflect the entirety of what was said at the hearing.

### **Introduction**

Policy 2.1,<sup>118</sup> *Assessment for Pre-Release Decisions*, of the *Decision-Making Policy Manual for Board Members*, requires that Board members to assess all relevant aspects of the case to

## PROTECTED B

determine whether or not the release of the offender will constitute an undue risk to society and contribute to the protection of society by facilitating the offender's reintegration into society as a law-abiding citizen, such as the criteria of the CCRA.<sup>119</sup> This assessment must always be applied whether it is an initial decision or an expansion or continuation of a release. In the reasons for their decision, Board members must summarize their overall findings and assessment of the offender, and the rationale for their decision.<sup>120</sup>

The written decision is the official record of the review. Written for the offender, its purpose is to provide a clear explanation of the decision made and a brief description of the information that was considered. It is an official document that is accessible to the public through the Decision Registry and serves to promote transparency and accountability. Therefore, decisions must be as complete and concise as possible. They must reflect all relevant information and factors that Board members considered in their analysis. (*Source: Board Members' Handbook: Legislation, Policy and Decision Writing Guides*).<sup>121</sup>

### Supporting Facts

#### **March 26, 2019 Decision – Day Parole Review**

**A1.** Upon listening to the recording of the hearing on March 26, 2019, and reviewing the written decision dated March 26, 2019, the BOI found that the Board members considered all relevant elements of the case, including the judge's comments during sentencing, actuarial measures, criminal history, contributing factors, psychological and psychiatric assessments, the offender's progress in carrying out his correctional plan and the release plan.

**A2.** After taking into account all the information on file, as well as the information and observations that were presented at the hearing, the Board members granted **GALLESE** an initial day parole for a period of six months.

**A3.** In their written decision of March 26, 2019, the Board members provided a clear and comprehensive rationale for their decision. They identified the context of the index offence that

**PROTECTED B**

was committed in October 2004, as well as the contributing factors:

[REDACTED] They noticed that the start of GALLESE's institutional path was difficult, as [REDACTED] problem. However, they observed an increase in awareness and significant work on these areas over the years. [REDACTED]

[REDACTED] Finally, the Board members were of the view that the proposed DP plan met the offender's needs and risk factors.

**September 19, 2019 Decision – Day Parole Continued and Full Parole Review**

**A5.** On September 19, 2019, GALLESE appeared before the Board again to continue his day parole and to review full parole.

**A6.** Upon listening to the recording of the September 19, 2019 hearing, and reviewing the written decision that was finalized on September 20, 2019, the BOI found that the Board members considered all relevant elements of the case, as per policy 2.1, *Assessment for Pre-Release Decisions*, of the *Decision-Making Policy Manual for Board Members* and the

**PROTECTED B**

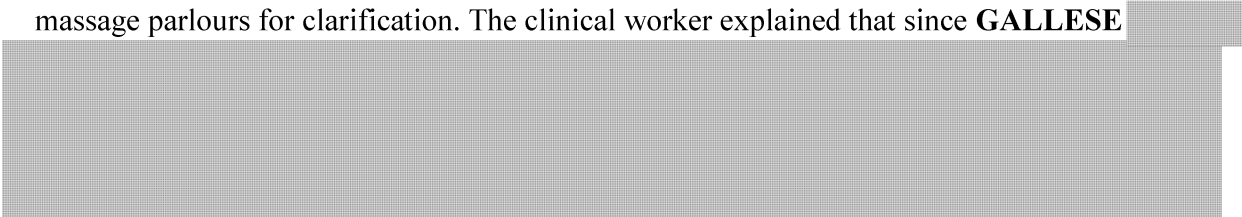
Act. They noted that employment was newly identified by the CMT as a new dynamic factor



**A7.** At the beginning of the hearing, in accordance with usual practices, the clinical worker at the Maison Painchaud CRF presented the case to the Board members. He mentioned **GALLESE**'s progress since his release, his risk factors and issues that were still relevant, as well as his collaboration with his CMT. Then, the clinical worker presented the proposed plan to continue DP and indicated that FP was not recommended at that time.

**A8.** During his presentation, the clinical worker explained to the Board members that, given **GALLESE**'s transparency about his sexual needs—which he named appropriately—the CMT agreed to allow him to visit a “massage parlour” to satisfy his more intimate needs, which was seen as a more effective and safer way to manage the risk than through dating sites, for example.

**A9.** Following the presentation, the Board members immediately discussed the subject of massage parlours for clarification. The clinical worker explained that since **GALLESE**



The Board members questioned this aspect further,

**PROTECTED B**

explaining that in their view, this did not seem to be consistent with the usual practices of massage parlours, whose purpose is therapy or relaxation. In response to the Board members' questions, the clinical worker confirmed that **GALLESE** had exchanged sexual activity for payment. The Board members immediately suspended the hearing to deliberate. Upon returning to the hearing, the Board members were explicit about **GALLESE**'s visits to such massage parlours. They said that instead of talking about a "massage parlour", it had more to do with "sexual services of prostitutes in exchange for payment". They made it clear to **GALLESE** and the clinical worker that he would no longer be allowed to visit those locations, mentioning not only his risk factors, but above all that it was not legal.

**A10.** In continuing the hearing, the Board members questioned the clinical worker on how the CMT proposed to manage **GALLESE**'s risk to satisfy his sexual needs now that those activities would no longer be permitted. The clinical worker explained that the index offence was committed in a particular context of domestic violence [REDACTED]

[REDACTED] offender's incarceration. In addition, he mentioned that the CMT could establish alternative supervision arrangements based on **GALLESE**'s choices. The clinical worker added that he did not think that the sexual aspect was a central issue for **GALLESE** and that the condition to report relationships with women provided a sufficient structure. The clinical worker felt that the CMT would be able to manage the risk progressively due to the transparency he saw in the offender.

**A11.** Following discussions with the clinical worker, the Board members then addressed the matter directly with **GALLESE**. The offender indicated that he agreed to stop visiting those massage parlours for sexual purposes. The Board members also discussed [REDACTED]

[REDACTED] They then discussed all the other relevant elements of the case, including his offence, his progress since his release, how he dealt with [REDACTED] and his release plan.

**PROTECTED B**

**A12.** Before moving on to a second deliberation to make a final decision, the Board members discussed imposing a new special condition, prohibiting him from being in the company of sex workers or of any person who is connected with prostitution. The clinical worker was of the view that this condition was not necessary to manage the risk, as the offender was committed to complying with the Board members' decision prohibiting him from engaging in that practice. For his part, **GALLESE** stated that he would have no problem complying with this condition if it were imposed.

**A13.** Following the deliberation period, the Board members reminded **GALLESE** that he would no longer be allowed to visit massage parlours for sexual purposes, even though his CMT had authorized this activity before, and they confirmed that he understood that he was prohibited from doing so. They explained to the offender that they could have revoked his DP right away because he visited the massage parlours for sexual purposes, but after considering the offender's positive progress during his incarceration and while on release, they decided to continue DP for an additional six months. They denied him full parole, as they considered it necessary to see his progress in the structured context of DP and to see his gains tested over a sufficiently significant period of time.

They did not deem it reasonable and necessary to impose a special condition pertaining to seeing sex workers according to the criteria of the Act,<sup>122</sup> considering that the CMT would ensure that this situation did not happen again.

**A14.** In their written decision of September 20, 2019, the Board members made no mention of massage parlours or sexual services obtained in exchange for payment. At most, they mentioned that this type of relationship between **GALLESE** and women was inappropriate and that the risk management strategy advocated by the CMT in that regard was a concerning risk factor. The Board members therefore required that the analysis grid that led to this approach be re-examined by the CMT. The BOI found that this analysis, as well as the reasons given by the

**PROTECTED B**

Board members, were described in a mitigated fashion when compared with the verbal decision made at the hearing.

**A15.** Considering the extent of the discussions on **GALLESE**'s visit to the massage parlours for sexual purposes, the [REDACTED] nature of those acts, and the importance the Board members gave them in the verbal decision, the BOI is of the view that the reasons in the written decision regarding this aspect should have more accurately reflected the Board members' statements at the hearing, as set out in the "Decision and reasons" section of policy 2.1, *Assessment for Pre-Release Decisions*, of the *Decision-Making Policy Manual for Board Members* (No. 15 – June 21, 2019 and No. 16 – September 20, 2019).<sup>123</sup> **(Compliance Issue)**



## PROTECTED B

**Investigation Area B:** the rationale given by the Parole Board of Canada to explain the March 26, 2019 decision to impose special conditions on day parole and the September 19, 2019 decision to impose special conditions on the day parole continued

**Finding B:** The BOI found that the Board members applied the criteria of the CCRA to impose special conditions in relation to the decisions of March 26, 2019 and September 19, 2019, and that they properly documented the reasons for imposing these conditions to the risk GALLESE posed, as per policy 7.1, *Release Conditions*, of the *Decision-Making Policy Manual for Board Members*.

### Introduction

The CCRA, subsection 133(3),<sup>124</sup> provides that the Board may impose any conditions that it considers reasonable and necessary to protect society and to facilitate the offender's successful reintegration into society. Policy 7.1,<sup>125</sup> *Release Conditions*, of the *Decision-Making Policy Manual for Board Members* requires Board members to explain how each special condition relates to the offender's criminal behaviour and to specify the reasons and legal criteria for imposing any special condition. They must also specify the duration of special conditions and the rationale for imposing that duration.

### Supporting Facts

#### **March 26, 2019 Decision**

**B1.** In their March 26, 2019 decision to grant GALLESE DP, the Board members imposed the following special conditions for his release into the community:

**PROTECTED B**

**September 19, 2019 Decision**

**B2.** In the September 19, 2019 decision to continue **GALLESE**'s DP,

. Each special condition imposed was justified, in relation to the offender's risk factors, and the duration of the special conditions was specified.

**PROTECTED B**

**Investigation Area C:** the quality and completeness of the information available to the Parole Board of Canada that had an impact on the risk assessment

**Finding C:** The BOI found that, overall, the PBC had all the relevant and available information at its disposal at the time of the hearings to render a sound decision and that these were of quality.

**Introduction**

The *Corrections and Conditional Release Act* (paragraph 101(a))<sup>126</sup> requires that Board members take into consideration all relevant information to assess the risk of recidivism the offender poses, including the stated reasons and recommendations of the sentencing judge, the nature and gravity of the offence, the degree of responsibility of the offender, information from the trial or sentencing process and information obtained from victims, offenders and other components of the criminal justice system, including assessments provided by correctional authorities. This may include information provided by police, courts, mental health professionals, private organizations (e.g., CRFs) and CSC.

**Supporting Facts**

**C1.** For the decisions made on March 26, 2019 and September 19, 2019, the Board members had access to numerous documents from CSC, professionals, as well as the court and the police. These include the Criminal Profile, Correctional Plan and its updates, Program Reports, several CAs, Community Strategies, Psychological Assessments, a Psychiatric Assessment, as well as the Police Investigation Report for the 2004 index offence, the judge's report for the first federal life sentence, the offender's criminal record, written submissions from the offender and letters of recommendation from people in the community, [REDACTED]

**PROTECTED B**

[REDACTED]

The BOI noted that the SIR rating was recorded by the Board members in the reasons for the written decisions of March 26, 2019 and September 20, 2019. The BOI does not consider that this variation would have had an impact on the Board members' decisions, as this factor was only one of the many factors that the Board members relied on to make their decisions.

**C3.** During its investigation, the BOI learned that official source documents concerning **GALLESE** were available at the Court of Quebec, which were not obtained by CSC, and consequently, the Board. These documents include: t

[REDACTED]

Although this additional information could have been useful to obtain more details on the offender's criminal history, the BOI notes that the Board had received the required official information related to the 2004 murder offence, such as the judge's comments (submissions on sentencing and sentence) and official police documents (investigation report, the paramedics' solemn declaration, an application to initiate proceedings, indictment), as well as the offender's criminal record, which provided several details on the facts and circumstances of the original offence.

## PROTECTED B

**Investigation Area D:** any matter related to compliance with legislation and policies of the Parole Board of Canada that had an impact on the Board's decision-making

**Finding D:** The BOI did not note any shortcomings in relation to compliance with legislation or the PBC policies that inform the Board members' decision-making.

### Supporting Facts

**D1.** GALLESE's application for DP dated October 15, 2018, was processed within the timelines required by the *Corrections and Conditional Release Regulations (CCRR)*,<sup>127</sup> i.e., within six months of receipt of the application. The review for continued DP and for FP, which took place on September 19, 2019, was also completed within the timeframe set out in the Act.<sup>128</sup>

**D2.** A quorum of two Board members was applied for the hearings on March 26, 2019 and September 19, 2019, pursuant to the CCRR.<sup>129</sup>

**D3.** At the beginning of the hearings on March 26, 2019 and September 19, 2019, the procedural safeguards were verified and the sharing of information was confirmed with GALLESE, in accordance with the Act and as per policy 11.1,<sup>130</sup> *Hearings*, of the *Decision-Making Policy Manual for Board Members*.

**D4.** The Board's decisions were made and shared verbally with GALLESE at the end of the hearings on March 26, 2019 and September 19, 2019. The written decisions were locked (electronically signed) in the Integrated Decision System on the same date for the decision of March 26, 2019, and the following day for the one on September 19, 2019, thereby complying with the timeframe prescribed by the CCRR.<sup>131</sup>

## PROTECTED B

**Investigation Area E:** any other matter relating to the Parole Board of Canada's operations, including training, that the Board of Investigation deems relevant for understanding the incident

**Finding E:** The BOI did not find any factors that are relevant to understanding the incident related to PBC operations. The BOI found that the Board members who made the conditional release decisions on March 26, 2019, and September 19, 2019, met all of the PBC training requirements and had the level of knowledge required to perform their tasks. The BOI believes that the PBC training plan for new Board members was well structured and complete.

### Supporting Facts

**E1.** A new Board member appointed to the PBC must complete five weeks of full-time training ("Board Member Orientation") consisting of two weeks at the national office and three weeks in their region. This basic training covers the Board's legal framework and risk assessment, among other things. National office training provides Board members with critical knowledge on the application of the Risk Assessment Framework, hearing management, interview techniques and decision writing, as well as an overview of the statistical predictive tools and offender typology (women offenders, sex offenders, violent offenders, offenders with mental health issues, offenders serving long sentences). Training in the regions includes workshops and structured mentoring for Board members. Once in the region, the new Board members observe hearings and votes for the duration of this training phase, with the support and guidance of the Vice-Chairperson, a regional manager and experienced Board members. The training is followed by several months of mentoring and coaching. This mentoring can be done through discussions on best practices and risk assessment. In addition to basic training, new Board members are also required to complete Indigenous Cultural Awareness Training. This three-day training allows Board members to learn about Indigenous issues, culture and spirituality.

The BOI found that the Board members who rendered the decisions in **GALLESE**'s case on March 26, 2019 and September 19, 2019, had completed their core training at the national

## PROTECTED B

level in July 2018, and their core training at the regional level in August 2018. They also had structured meetings and mentoring between August 6 and December 31, 2018. Two of the three Board members completed the Indigenous Awareness Training in March 2019.

**E2.** During their mandate, Board members are required to complete the Annual Training on Risk Assessment (ATRA). The ATRA is an annual three-day training program that enhances the knowledge and skills of Board members in risk assessment, writing decisions and hearing management, as well as awareness of recent research on crime and programs. The topics covered at the ATRA vary from year to year, depending on the needs identified by the Board members. The Board members in the **GALLESE** case participated in this training in June 2019.

**E3.** Since June 2019, all full-time Board members are granted two days of professional development per month. Occasionally, these days must be replaced by voting days to respond to urgent requests and/or due to the absence of Board members. Ongoing training modules are also available to Board members in every region.

**E4.** On average, new full-time Board members should be able to fully carry out their role, with all the requirements to vote, six months after their appointment. In the March 26, 2019 decision, the two Board members had been on the Board for eight months, while in the September 19, 2019 decision, the Board members had been on the Board for 14 months.

**E5.** Normally (before the COVID-19 pandemic), most of the Board members' work was done at the office, while another part was done at the institution. Decisions were made either following a hearing (in person or videoconference) or by paper vote, as well as by one or two Board members, depending on the type of review. For **GALLESE**'s two hearings in 2019, the one in March was held in person at the institution, while the one in September 2019 was conducted via videoconference.

**E6.** The BOI noted that a typical week of work for a full-time Board member consists of two days of preparation for hearings, two days of hearings and one day of paper votes. At hearings, decisions are generally made on the same day—verbally first, and then shared in

**PROTECTED B**

writing afterwards. Board members are responsible for drafting clear, concise and comprehensive decisions based on a thorough risk assessment.

**E7.** The BOI learned that, since 2011, the PBC has developed resource allocation formulas that address the overall work involved in decision-making by Board members. The PBC uses these formulas to support requests for sufficient financial resources from the Treasury Board. They are also used as a standard for the workload of Board members.

**E8.** In recent years, a revision of the formulas has reduced the number of paper votes from 12 per day to 8, and then to 6, which is the current standard. As for the standard workload for hearings, it has remained at four per day. However, this number can be reduced by the Regional Director General, in consultation with the Regional Vice-Chairperson, by considering certain case-specific factors. In the Quebec Region, files are assigned using a scoring system. This tool gives an indication of the workload for the various types of files (e.g., DP, Elder-assisted hearings, hearings with an interpreter), which allows the region to assign an optimal workload to these Board members.

**E9.** The BOI found that the Board members were assigned three hearings on March 26, 2019 and September 19, 2019, three hearings were assigned to one Board member, and two to the other one.

**E10.** The BOI learned that the PBC's Board Member Secretariat at the National Office has been conducting an exercise to reassess the resource formula for Board members since the summer of 2020 and that the final report—including recommendations—is expected on March 31, 2021.

**E11.** Following the event of January 22, 2020, management at the Quebec Regional Office provided support to the Board members and employees of the PBC in that region, including the Employee Assistance Program, and a group session with a psychologist for the Board members.



**PROTECTED B**

## **CONCLUSION**

The incident investigation process plays a key role in ensuring that CSC and the PBC adhere to the principles of accountability, responsibility and transparency. This investigation provides CSC and PBC with an opportunity to address the issues raised through effective and appropriate remedies to promote a “lessons learned” approach across both organizations.

In the case under investigation, the recommendations, policy gaps, underlying issues and non-compliance issues will be reviewed by OPIs and key stakeholders, who will determine the appropriate corrective actions. Their responses will be reviewed by CSC and PBC senior management, and the implementation of the proposed correction actions will be monitored.

**PROTECTED B**

**ANNEX A**

**LISTING OF RECOMMENDATIONS**

- R1.** Since the current policy on information collection is vague with regard to the list of source documents required and the process to update the collection, the BOI recommends that CSC revise Commissioner's Directive 705-2 – Information Collection to: a) define a serious offence; b) specify the documents required, including source documents such as trial transcripts for sentenced offenders with a history of violent offences as set out in Schedule I of the *Corrections and Conditional Release Act*; and c) ensure a mechanism for monitoring information collection throughout the sentence.
- R2.** Given the shortcomings in terms of contact with collateral contacts and the fact that most of what the offender reported was not generally corroborated by the CMT, thereby impacting risk management, the BOI recommends that CSC revise Commissioner's Directive 715-1 – Community Supervision to include a quality control mechanism with a network of collateral contacts.
- R3.** Since specific training on domestic violence, which is essential for good risk management, is not an integral part of parole officer training, the BOI recommends that CSC integrate training on domestic violence into the Parole Officer Induction Training (POIT) and that this training be offered during the Parole Officer Continuous Development (POCD) training.
- R4.** Since the case conferences did not help in identifying major shortcomings in the offender's supervision, the BOI recommends that CSC develop a case conference instrument that includes minimum indicators.
- R5.** Given the communication problems between the organizations, the complex decision-making hierarchy, and the disparity in training requirements, the BOI is of the opinion that the offender's supervision did not meet the minimum expectations of adequate

*The use of this information by any person other than the recipients, including distributing, copying or disclosure, is strictly prohibited and may be unlawful.*

## **PROTECTED B**

case management. To better monitor offender supervision and fully achieve the mandate of protecting society, as set out in the Act, the BOI recommends that the direct supervision component set out in the contract agreement be taken away from the Maison Painchaud CRF and given back to CSC, and that CSC review the service models with all other CRFs currently responsible for the direct supervision of offenders.

*The use of this information by any person other than the recipients, including distributing, copying or disclosure, is strictly prohibited and may be unlawful.*

**PROTECTED B**

**ANNEX B**

**CONVENING ORDER AND INVESTIGATION AREAS**

**CORRECTIONAL SERVICE OF CANADA–PAROLE BOARD OF CANADA  
NATIONAL JOINT BOARD OF INVESTIGATION  
INTO THE RELEASE AND SUPERVISION OF AN OFFENDER CHARGED IN  
RELATION TO A SERIOUS INCIDENT IN SAINTE-FOY, QUEBEC,  
ON JANUARY 23, 2020**

**WHEREAS** it is provided by section 20 of the *Corrections and Conditional Release Act*, S.C. 1992, c. 20, that the Commissioner may appoint a person or persons to investigate and report on any matter relating to the operations of the Service;

And,

**WHEREAS** it is provided by subsection 152(4) of the *Corrections and Conditional Release Act*, S.C. 1992, c. 20, that the Chairperson, Parole Board of Canada, may appoint a person or persons to investigate and report on any matter relating to the operations of the Board;

And,

**WHEREAS** on 23<sup>rd</sup> day of January 2020, at around 1:20 a.m., the Maison Painchaud Community Residential Facility (CRF) contacted the National Monitoring Centre (NMC) to report that it had received a call from an investigator from the Québec City Police Service to the effect that offender Eustachio **GALLESE** (Fingerprint System (FPS) [REDACTED]) had been arrested. No details about the arrest were provided. At around 1:25 a.m., the NMC contacted the investigator, who confirmed that the offender had been arrested in connection with a murder. As the investigation was ongoing, no further details were disclosed. The investigator explained that the offender appeared to be cooperative during his arrest and that [REDACTED]. The offender was being held at the police station. The inspector expected that the matter would generate media attention.

**NOW THEREFORE I**, Anne **KELLY**, Commissioner, Correctional Service of Canada, and **I**, Jennifer **OADES**, Chairperson, Parole Board of Canada, do hereby appoint, by virtue of section 20 and subsection 152(4) of the CCRA, Dianne **VALCOURT** and José **GARIÉPY**, as Co-Chairs and members of the community; Richard **MARCEAU**, National Investigator at

*The use of this information by any person other than the recipients, including distributing, copying or disclosure, is strictly prohibited and may be unlawful.*

**PROTECTED B**

National Headquarters; Natasha **LEVESQUE-HILL**, Chief of Staff with the National Office, Parole Board of Canada; and Pauline **GAUVIN**, Assistant Warden, Operations, Dorchester Penitentiary, Atlantic Region, as members of the Board of Investigation.

**WE**, Anne **KELLY** and Jennifer **OADES**, **DIRECT AND CHARGE** the persons so appointed to faithfully execute the duties entrusted to them in the conduct of this investigation and to provide us with:

- a) a background into the incident;
- b) a concise and pertinent profile of the offender; and
- c) a chronology of events for the period the offender was under supervision in the community.

**I**, Anne **KELLY**, **FURTHER DIRECT** the Board of Investigation to specifically analyze the following investigation areas, as they relate to this case, including any non-compliance with law, policies and procedures having a direct impact on this incident:

- a) the existence of pre-incident indicators, precipitating events or contributing risk factors to the incident under investigation and, if so, were they known by staff and was any attention provided or action taken by them;
- b) the case preparation leading up to the offender's release;
- c) the quality of the offender's supervision following his release on day parole, including adherence to any special conditions of release that may have been imposed and the extent of any contact that took place while the offender was under supervision;
- d) the level of training required in relation to each caseworker's role and the compliance rate;
- e) the quality of the clinical supervision by caseworkers and quality control of documents;
- f) the direct offender supervision practices of our CRF partners; and

*The use of this information by any person other than the recipients, including distributing, copying or disclosure, is strictly prohibited and may be unlawful.*

**PROTECTED B**

- g) the quality of communications and sharing of information among relevant agencies and/or individuals leading up to the offender's release and during the course of this supervision.

**AND I, Jennifer OADES, FURTHER DIRECT** the Board of Investigation to investigate the following:

- a) the rationale given by the Parole Board of Canada, including the application of the Risk Assessment Framework (policy 2.1), to explain the March 26, 2019 decision to grant day parole and the September 19, 2019 decision to continue day parole;
- b) the rationale given by the Parole Board of Canada to explain the March 26, 2019 decision to impose special conditions to the day parole and the September 19, 2019 decision to impose special conditions to the continued day parole;
- c) the quality and completeness of the information available to the Parole Board of Canada that had an impact on the risk assessment;
- d) any matter relating to compliance legislation and policies of the Parole Board of Canada that had an impact on the Board's decision-making; and
- e) any other matter relating to the Parole Board of Canada's operations, including training, that the Board of Investigation deems relevant for understanding the incident.

**AND WE FURTHER DIRECT** the Board of Investigation to provide us with its findings on the above matters and any recommendations that it considers appropriate and that may contribute to the effective resolution and/or prevention of similar situations or occurrences in the future.

**AND FURTHER,** to ensure the success of this investigation, the Board of Investigation is authorized:

- a) to adopt such procedures and methods as may be deemed necessary for the proper conduct of this investigation;

*The use of this information by any person other than the recipients, including distributing, copying or disclosure, is strictly prohibited and may be unlawful.*

**PROTECTED B**

- b) to be provided with adequate and secure working accommodation and administrative assistance as required;
- c) to search any building, receptacle or thing on the property of and in the possession of the Correctional Service of Canada or the Parole Board of Canada, and to seize and retain such books, documents or things as the Board of Investigation may deem, on reasonable grounds, necessary for the successful execution of its mandate;
- d) to have complete access to personnel employed by or under contract with the Correctional Service of Canada or the Parole Board of Canada and to the members appointed to the Parole Board of Canada;
- e) to communicate, at the discretion of the Chair of the Board of Investigation, with any outside person, agency, office or organization that may assist in the successful completion of this investigation; and
- f) to disclose any personal information it deems necessary to enable the recipient of a section 13 notice under the *Inquiries Act* to fully understand and respond to the statements made by the Board of Investigation in the report that indicate that the person breached the law or a policy, and that may negatively affect the person's reputation.

The Annex to this Convening Order outlines further the powers and responsibilities bestowed on this Board of Investigation under sections 7 to 13 of the *Inquiries Act* pursuant to section 21 of the *Corrections and Conditional Release Act*. In applying the section 13 process, the Board of Investigation shall apply the same considerations and follow the same procedures with section 13 whether the person is a member of the public, a staff member, a Parole Board of Canada member, an offender or a contractor.

**AND WE FURTHER DIRECT** the Board of Investigation to submit to us, through the Director General, Incident Investigations Branch, Correctional Service Canada, and the Executive Director General, Parole Board of Canada, a written report marked "Protected B", along with a summary, **no later than the 17th day of April 2020.**

**Given under my hand in the City of Ottawa, in the Province of Ontario, this 3<sup>rd</sup> day of February 2020.**

*The use of this information by any person other than the recipients, including distributing, copying or disclosure, is strictly prohibited and may be unlawful.*

**PROTECTED B**

*Original signed by*

---

Anne Kelly  
Commissioner  
Correctional Service of Canada

**Given under my hand in the City of Ottawa, in the Province of Ontario, this 3<sup>rd</sup> day of  
February 2020.**

*Original signed by*

---

Jennifer Oades  
Chairperson  
Parole Board of Canada

1411-1-20-01-23-390 (CSC)  
3447-2-GALLESE (PBC)

*The use of this information by any person other than the recipients, including distributing, copying or disclosure, is strictly prohibited and may be unlawful.*



**PROTECTED B**

**AMENDMENT MADE TO  
THE CONVENING ORDER AND INVESTIGATION MANDATE**

**CORRECTIONAL SERVICE OF CANADA–PAROLE BOARD OF CANADA  
NATIONAL JOINT BOARD OF INVESTIGATION  
INTO THE RELEASE AND SUPERVISION OF AN OFFENDER CHARGED IN  
RELATION TO A SERIOUS INCIDENT IN SAINTE-FOY, QUEBEC,  
ON JANUARY 23, 2020**

**WHEREAS** under section 20 of the CCRA, S.C. 1992, c. 20, the Commissioner may appoint persons to investigate and report on any matter relating to the operations of the Service;

And,

**WHEREAS** it is provided by subsection 152(4) of the *Corrections and Conditional Release Act*, S.C. 1992, c. 20, that the Chairperson, Parole Board of Canada, may appoint a person or persons to investigate and report on any matter relating to the operations of the Board;

And,

**WHEREAS** on 23<sup>rd</sup> day of January 2020, at around 1:20 a.m., the Maison Painchaud Community Residential Facility (CRF) contacted the National Monitoring Centre (NMC) to report that it had received a call from an investigator from the Québec City Police Service to the effect that offender Eustachio **GALLESE** (Fingerprint System (FPS) [REDACTED]) had been arrested. No details about the arrest were provided. At around 1:25 a.m., the NMC contacted the investigator, who confirmed that the offender had been arrested in connection with a murder. As the investigation was ongoing, no further details were disclosed. The investigator explained that the offender appeared to be cooperative during his arrest and that [REDACTED]. The offender was being held at the police station. The inspector expected that the matter would generate media attention.

**NOW THEREFORE I**, Alain **TOUSIGNANT**, Acting Commissioner, Correctional Service of Canada, and **I**, Jennifer **OADES**, Chairperson, Parole Board of Canada, direct the Board of Investigation to submit to us, through the Director General, Incident Investigations Branch, Correctional Service of Canada, and the Director, Board Member Secretariat, Parole Board of Canada, with a written report, as well as an executive summary marked “Protected B”, **no later than the 23<sup>rd</sup> day of October 2020.**

*The use of this information by any person other than the recipients, including distributing, copying or disclosure, is strictly prohibited and may be unlawful.*

**PROTECTED B**

All other aspects of the Convening Order and Investigation Mandate from the **3<sup>rd</sup> day of February 2020** remain in force.

**Given under my hand in the City of Ottawa, in the Province of Ontario, this 28<sup>th</sup> day of July 2020.**

*Original signed by*

---

Alain Tousignant  
Acting Commissioner  
Correctional Service of Canada

**Given under my hand in the City of Ottawa, in the Province of Ontario, this 28<sup>th</sup> day of July 2020.**

*Original signed by*

---

Jennifer Oades  
Chairperson  
Parole Board of Canada

1411-1-20-01-23-390 (CSC)  
3447-2-GALLESE (PBC)

*The use of this information by any person other than the recipients, including distributing, copying or disclosure, is strictly prohibited and may be unlawful.*

PROTECTED B

ANNEX C

POLICY AND REFERENCE CITATIONS

- 
- <sup>1</sup> <https://www.csc-scc.gc.ca/about-us/index-eng.shtml>
- <sup>2</sup> <https://www.csc-scc.gc.ca/about-us/006-0001-eng.shtml>
- <sup>3</sup> <https://www.csc-scc.gc.ca/security/001003-1000-eng.shtml>
- <sup>4</sup> <https://www.canada.ca/en/parole-board/corporate/the-parole-board-of-canada-s-vision-and-mission.html>
- <sup>5</sup> <https://www.canada.ca/en/parole-board.html>
- <sup>6</sup> <https://www.canada.ca/en/parole-board/corporate/transparency/reporting-to-canadians/report-on-plans-and-priorities/2019-2020/2019-20-departmental-plan.html>
- <sup>7</sup> <https://www.csc-scc.gc.ca/parole/002007-0002-en.shtml>
- <sup>8</sup> *Corrections and Conditional Release Act*, subsections 17(1), 18(1), 116(1), 122(1) and 123(1) (S.C. 1992, c. 20)
- <sup>9</sup> <https://www.csc-scc.gc.ca/parole/002007-0002-en.shtml>
- <sup>10</sup> Statement of Work, *Community Residential Facilities*, Annex D, paragraph 4, July 2018
- <sup>11</sup> <http://thehub/En/offenders/case-management/community-supervision/Pages/communityassessment-parolesupervision.aspx>
- <sup>12</sup> <https://www.csc-scc.gc.ca/parole/002007-0002-en.shtml>
- <sup>13</sup> *Corrections and Conditional Release Regulations*, paragraph 161 (S.C. 1992, c. 20)
- <sup>14</sup> <http://thehub/En/offenders/case-management/community-supervision/release-conditions/Pages/special-conditions.aspx>
- <sup>15</sup> Policy 7.1, *Release Conditions*, of the Parole Board of Canada's Decision-Making Policy for Board Members, paragraph 7, September 22, 2020
- <sup>16</sup> *Corrections and Conditional Release Act* (S.C. 1992, c. 20), paragraphs 115(1)(b) and 119(1)(b)
- <sup>17</sup> Trial transcript, 2006
- <sup>18</sup> Agreed Statement of Facts, CQ: 200-01-235329-202 (February 24, 2020)
- <sup>19</sup> Agreed Statement of Facts, CQ: 200-01-235329-202 (February 24, 2020)
- <sup>20</sup> Agreed Statement of Facts, CQ: 200-01-235329-202 (February 24, 2020)
- <sup>21</sup> Investigation Report, Québec City Police Service, No. 2004-124734 (November 5, 2004)
- <sup>22</sup> Trial transcript, 2006
- <sup>23</sup> GALLESE's Autobiography – No date recorded
- <sup>24</sup> Ottawa Police Service Report, GO #1997-297050077
- <sup>25</sup> Commissioner's Directive 705-2 – Information Collection, paragraph 10 (April 10, 2006)
- <sup>26</sup> *Corrections and Conditional Release Act*, paragraph 23 (S.C. 1992, c. 20)
- <sup>27</sup> Commissioner's Directive 705-2 – Information Collection, paragraph 1 (April 10, 2006)
- <sup>28</sup> Investigation Report, Québec City Police Service, No. 2004-124734 (November 5, 2004)
- <sup>29</sup> Decision, Submissions on Sentencing (December 16, 2006)
- <sup>30</sup> Commissioner's Directive 705-2 – Information Collection, paragraphs 10 and 13(a)(vi) (April 14, 2006)
- <sup>31</sup> Commissioner's Directive 705-2 – Information Collection, paragraph 3(d) (November 23, 2015)
- <sup>32</sup> GALLESE v. R, 200-01-093542-045 (December 14, 2004)
- <sup>33</sup> Commissioner's Directive 705-2 – Information Collection, paragraph 13(c) (April 10, 2006)
- <sup>34</sup> *Corrections and Conditional Release Act*, section 23 (December 14, 2006)
- <sup>35</sup> *Information agreement regarding sentences* between CSC and the Government of Quebec, paragraph 3.1 (May 15, 1995)
- <sup>36</sup> Commissioner's Directive 705-2 – Information Collection, paragraph 1 (April 10, 2006)
- <sup>37</sup> Commissioner's Directive 705-2 – Information Collection, paragraph 7 (November 23, 2015)
- <sup>38</sup> Standard Operating Practices 700-04 – Offender Intake Assessment and Correctional Planning, Annex B (August 29, 2003)
- <sup>39</sup> Commissioner's Directive 712-1 – Pre-Release Decision-Making, Annex B (January 15, 2018)
- <sup>40</sup> Commissioner's Directive 710-1 – Progress Against the Correctional Plan, Correctional Plan Update Guide, Annex D (January 15, 2018)

*The use of this information by any person other than the recipients, including distributing, copying or disclosure, is strictly prohibited and may be unlawful.*

**PROTECTED B**

- 
- <sup>41</sup> Commissioner's Directive 710-1 – Progress Against the Correctional Plan, Correctional Plan Update Guide, Annex B (January 15, 2018)
- <sup>42</sup> Commissioner's Directive 710-1 – Progress Against the Correctional Plan, Correctional Plan Update Guide, Annex H (January 15, 2018)
- <sup>43</sup> Commissioner's Directive 715-4 – Community Assessments, paragraph 14 (June 20, 2008)
- <sup>44</sup> Commissioner's Directive 710-1 – Progress Against the Correctional Plan, Correctional Plan Update Guide, Annex B (January 15, 2018)
- <sup>45</sup> Commissioner's Directive 710-1 – Progress Against the Correctional Plan, Correctional Plan Update Guide, Annex E (January 15, 2018)
- <sup>46</sup> Commissioner's Directive 715-1 – Community Supervision, paragraph 16 (2014-02-24)
- <sup>47</sup> Commissioner's Directive 715-1 – Community Supervision, paragraphs 27, 33 (April 15, 2019)
- <sup>48</sup> Commissioner's Directive 566-10 – Urinalysis Testing, paragraph 28 (June 18, 2015)
- <sup>49</sup> Referral for Health Services, SCC-4000-07f (April 10, 2019)
- <sup>50</sup> Commissioner's Directive 701 – Information Sharing, paragraph 31 (June 1, 2016)
- <sup>51</sup> Commissioner's Directive 715-1 – Community Supervision, paragraph 30 (April 15, 2019)
- <sup>52</sup> Commissioner's Directive 715-2 – Post-Release Decision Process, paragraph 8 (April 15, 2019)
- <sup>53</sup> Maison Painchaud CRF Resident's Guide, page 14
- <sup>54</sup> Commissioner's Directive 715-1 – Community Supervision, paragraph 30 (April 15, 2019)
- <sup>55</sup> Contractual Agreement, *Conditional Release – Community Supervision*, paragraph 52 (March 31, 2016)
- <sup>56</sup> Maison Painchaud CRF Resident's Guide, page 11
- <sup>57</sup> Commissioner's Directive 715-1 – Community Supervision, paragraph 30 (April 15, 2019)
- <sup>58</sup> Reasons for Decision, Québec Parole Office (January 27, 2020)
- <sup>59</sup> *Criminal Code*, subsection 286.1(1) (R.S.C., 1985, c. C-46)
- <sup>60</sup> Day Parole Certificate, U30A00044282 (March 29, 2019)
- <sup>61</sup> Commissioner's Directive 715-1 – Community Supervision, paragraph 30 (April 15, 2019)
- <sup>62</sup> Commissioner's Directive 715-1 – Community Supervision, paragraph 27 (April 15, 2019)
- <sup>63</sup> Guidelines 726-3 – National Correctional Program Management Guidelines, paragraph 141 (February 5, 2018)
- <sup>64</sup> CMP Report Template (June 2016)
- <sup>65</sup> Commissioner's Directive 700 – Correctional Interventions, paragraph 10(g) (May 15, 2017)
- <sup>66</sup> *Integrated Mental Health Guidelines*, paragraph 12.1.2 (May 31, 2019)
- <sup>67</sup> *Integrated Mental Health Guidelines*, paragraphs 6 and 12.1.2 (May 31, 2019)
- <sup>68</sup> Professional Code, *Regulation respecting the keeping of records and consulting-rooms by psychologists*, chapter C-26, r. 221, O.C. 448-92, section 6.
- <sup>69</sup> Commissioner's Directive 700 – Correctional Interventions, paragraph 10(d) (May 15, 2017)
- <sup>70</sup> Memorandum, *Information Recording* (January 24, 2020)
- <sup>71</sup> Commissioner's Directive 715-1 – Community Supervision, paragraph 4(k) (April 15, 2019)
- <sup>72</sup> Commissioner's Directive 715-1 – Community Supervision, paragraph 50 (April 15, 2019)
- <sup>73</sup> Commissioner's Directive 715-1 – Community Supervision, paragraph 36 (April 15, 2019)
- <sup>74</sup> Commissioner's Directive 715-1 – Community Supervision, paragraph 30 (April 15, 2019)
- <sup>75</sup> Commissioner's Directive 715-1 – Community Supervision, paragraph 30 (April 15, 2019)
- <sup>76</sup> Commissioner's Directive 715-1 – Community Supervision, paragraph 30 (April 15, 2019)
- <sup>77</sup> Contract #21120-16-2231344/020, page 18, paragraph 51 (March 31, 2016)
- <sup>78</sup> Document titled: Parole Officer Induction Training, page 2 (date unknown)
- <sup>79</sup> Contract #21120-16-2231344/020, paragraph 20 (March 31, 2016)
- <sup>80</sup> Commissioner's Directive 700 – Correctional Interventions, paragraph 9(e) (May 15, 2017)
- <sup>81</sup> Commissioner's Directive 715-1 – Community Supervision, paragraph 4(f) (April 15, 2019)
- <sup>82</sup> Contract #21120-16-2231344/020, paragraph 20 (March 31, 2016)
- <sup>83</sup> Commissioner's Directive 715-1 – Community Supervision, paragraph 13 (April 15, 2019)
- <sup>84</sup> Contract #21120-16-2231344/020, paragraph 20 (March 31, 2016)
- <sup>85</sup> Commissioner's Directive 710-1 – Progress Against the Correctional Plan, Correctional Plan Update Guide, Annex E (January 15, 2018)
- <sup>86</sup> Commissioner's Directive 715-2 – Post-Release Decision Process, Annexes B and C (April 15, 2019)
- <sup>87</sup> Commissioner's Directive 715-1 – Community Supervision, paragraph 23 (April 15, 2019)
- <sup>88</sup> Commissioner's Directive 715-1 – Community Supervision, paragraph 23 (April 15, 2019)
- <sup>89</sup> Commissioner's Directive 715-1 – Community Supervision, paragraph 39 (April 15, 2019)

*The use of this information by any person other than the recipients, including distributing, copying or disclosure, is strictly prohibited and may be unlawful.*

**PROTECTED B**

- 
- <sup>90</sup> Commissioner's Directive 712-3 – Parole Board of Canada Reviews, paragraph 4(b) (April 15, 2017)
- <sup>91</sup> Commissioner's Directive 712-3 – Parole Board of Canada Reviews, paragraph 4(b) (May 15, 2017)
- <sup>92</sup> Commissioner's Directive 701 – Information Sharing, paragraph 6(f) (June 1, 2016)
- <sup>93</sup> Commissioner's Directive [REDACTED] (December 3, 2018)
- <sup>94</sup> Policy Bulletin 393, page 4 (April 30, 2013)
- <sup>95</sup> Commissioner's Directive 712-3 – Parole Board of Canada Reviews, paragraph 11 (May 15, 2017)
- <sup>96</sup> Commissioner's Directive 715-1 – Community Supervision, paragraph 15 (February 24, 2014)
- <sup>97</sup> Commissioner's Directive 715-1 – Community Supervision, paragraph 2(a) (April 15, 2019)
- <sup>98</sup> Contractual Agreement, #21120-16-2231344/020, under the section *Conditional Release – Community Supervision*, paragraph 22 (March 31, 2016)
- <sup>99</sup> Commissioner's Directive [REDACTED] (December 3, 2018)
- <sup>100</sup> Commissioner's Directive 715-3 – Community Assessments, paragraphs 11–13 (April 15, 2019)
- <sup>101</sup> Commissioner's Directive 715-1 – Community Supervision, paragraph 31 (April 15, 2019)
- <sup>102</sup> Contractual Agreement #21120-16-2231344/020, Annex A, Statement of Work, paragraphs 21, 22, 23 (March 31, 2016)
- <sup>103</sup> Commissioner's Directive 712-3 – Parole Board of Canada Reviews, paragraph 4(b) (April 15, 2017)
- <sup>104</sup> Commissioner's Directive 712-3 – Parole Board of Canada Reviews, paragraph 4(b) (May 15, 2017)
- <sup>105</sup> Commissioner's Directive 701 – Information Sharing, paragraph 6(f) (June 1, 2016)
- <sup>106</sup> Commissioner's Directive 712-3 – Parole Board of Canada Reviews, paragraph 11 (May 15, 2017)
- <sup>107</sup> Commissioner's Directive [REDACTED] (April 29, 2019)
- <sup>108</sup> Commissioner's Directive 715-1 – Community Supervision, paragraph 36(d) (April 15, 2019)
- <sup>109</sup> Commissioner's Directive [REDACTED] (April 29, 2019)
- <sup>110</sup> Commissioner's Directive 715-2 – Post-Release Decision Process, paragraphs 13(a) and (b) (April 15, 2019)
- <sup>111</sup> Commissioner's Directive 715-2 – Post-Release Decision Process, paragraphs 13–15, 18(a), 20, 27 and 29 (April 14, 2019)
- <sup>112</sup> Commissioner's Directive 568-1 – Recording and Reporting of Security Incidents, Annex C (June 6, 2016)
- <sup>113</sup> *Corrections and Conditional Release Act, Part II*, Conditional Release, Detention and Long-term Supervision, subsection 26(1) (S.C. 1992, c. 20)
- <sup>114</sup> Commissioner's Directive [REDACTED] (December 3, 2018 and April 29, 2019)
- <sup>115</sup> Commissioner's Directive 568-1 – Recording and Reporting of Security Incidents, Annex C (June 6, 2016)
- <sup>116</sup> Guidelines 1281-01 – Community Incidents (R-2014-2015)
- <sup>117</sup> Guidelines 253-2 – Critical Incident Stress Management, paragraphs 7(a), 16 (May 8, 2008)
- <sup>118</sup> Policy 2.1, *Assessment for Pre-Release Decisions*, of the Parole Board of Canada's Decision-Making Policy Manual for Board Members, No. 13 – 2018-11-15, No. 14 – 2019-06-03, No. 15 – 2019-06-21 and No. 16 – 2019-09-20
- <sup>119</sup> *Corrections and Conditional Release Act, Part II*, Conditional Release, Detention and Long-term Supervision, sections 101 and 102 (S.C. 1992, c. 20)
- <sup>120</sup> Policy 2.1, *Assessment for Pre-Release Decisions*, of the Parole Board of Canada's Decision-Making Policy Manual for Board Members, No. 13 – 2018-11-15, No. 15 – 2019-06-21 and No. 16 – 2019-09-20
- <sup>121</sup> Board Members' Handbook: *Legislation, Policy and Decision Writing Guides*, October 2015
- <sup>122</sup> *Corrections and Conditional Release Act, Part II*, Conditional Release, Detention and Long-term Supervision, (S.C. 1992, c. 20)
- <sup>123</sup> Policy 2.1, *Assessment for Pre-Release Decisions*, of the Parole Board of Canada's Decision-Making Policy Manual for Board Members, No. 13 – 2018-11-15, No. 14 – 2019-06-03, No. 15 – 2019-06-21 and No. 16 – 2019-09-20
- <sup>124</sup> *Corrections and Conditional Release Act, Part II*, Conditional Release, Detention and Long-term Supervision, subsection 133(3) (S.C. 1992, c. 20)
- <sup>125</sup> Policy 7.1, *Release Conditions*, of the Parole Board of Canada's Decision-Making Policy Manual for Board Members, No. 13 – 2018-11-15, No. 15 – 2019-06-21 and No. 16 – 2019-09-20
- <sup>126</sup> *Corrections and Conditional Release Act, Part II*, Conditional Release, Detention and Long-term Supervision, paragraph 101(a) (S.C. 1992, c. 20)
- <sup>127</sup> *Corrections and Conditional Release Regulations*, subsection 157(2) (S.C. 1992, c. 20)
- <sup>128</sup> *Corrections and Conditional Release Act, Part II*, Conditional Release, Detention and Long-term Supervision, subsection 122(5) (S.C. 1992, c. 20)
- <sup>129</sup> *Corrections and Conditional Release Regulations*, section 153 (S.C. 1992, c. 20)

*The use of this information by any person other than the recipients, including distributing, copying or disclosure, is strictly prohibited and may be unlawful.*

**PROTECTED B**

---

<sup>130</sup> Policy 11.1, *Hearings*, of the Parole Board of Canada's Decision-Making Policy Manual for Board Members, No. 13 – 2018-11-15, No. 15 – 2019-06-21 and No.16 – 2019-09-20

<sup>131</sup> *Corrections and Conditional Release Regulations*, paragraph 166(2)(b) (S.C. 1992, c. 20)

*The use of this information by any person other than the recipients, including distributing, copying or disclosure, is strictly prohibited and may be unlawful.*