

## **Probation Officers Association of Ontario**

### Discussion Paper on the Safety of Probation and Parole Officers

January 2000

#### **PREAMBLE:**

In Ontario, over the past several months there have been incidents where violent outbursts directed at Probation and Parole officers have seriously threatened their safety. In this paper we will identify why this is happening and what may be undertaken as preventative measures to increase the level of safety in the office.

#### **BACKGROUND:**

We know our clientele. We are aware that they are offenders many of whom display problematic behavioural traits as a result of substance abuse, parental abuse and abandonment, as well as psychological and emotional maladjustment. Awareness of these problems does not mean probation officers need to jeopardize their safety and become victims of client's outrageous and unacceptable behaviour. It is becoming crystal clear that probation officers who are in direct contact with volatile offenders are continually at risk. They see offenders who are becoming more agitated and hostile for any number of reasons. These very same hostile clients were confined to detention and correctional settings serving a sentence and supervised by well trained correctional officers who have at their disposal all the necessary equipment needed to protect themselves. These same offenders who were in leg irons and chains in court are routinely seen by probation officers who have never received even the most rudimentary training to handle aggressive clients and who work in an overall environment most ill equipped to deal with these aggressive people.

#### **OBJECTIVE:**

The intent of this paper is to reduce the risks probation officers face in dealing with hostile clients who together with the nonviolent offender also have every right to benefit from services that foster rehabilitation and reduce recidivism. Given the legislative changes over the past decade in respect to sentencing and changes to the Mental Health Act, the offenders in this province are increasingly criminally complex and violent.

#### **The Mentally Disordered Offender:**

There are a number of changes over the past decade which have brought about profound changes in both the numbers and type of offenders under community supervision. Individuals previously detained in psychiatric hospitals have been released into the community without adequate programs to support them. As a result these individuals have been charged and convicted for a range of offences of varying severity. These

offences have brought people previously in the Mental Health system to Corrections which is ill prepared to deal with them.

This emerging mental health client poignantly puts the focus on the lack of training probation officers have received to deal with this growing crisis. Probation officers desperately need training to ascertain “typical” symptoms associated with different types of mental illness as well as the benefits of certain medication. Training is also needed in diffusion of hostility and measures that can be taken when a client's behaviour begins to escalate and poses a threat to safety. Probation is often a point of entry into a supportive system for the mental health client. Probation is mandated to find and provide the programs that will stabilize and provide counselling for the client. Given the complexity of these clients it is crucial that professionals in the field receive the appropriate training to deal with these mentally disordered offenders.

Changes in legislation have placed the responsibility to seek treatment solely in the hands of the mentally ill client, the very person who, in many instances is the least capable to make a sound decision regarding such matters.

#### Assaultive Offenders:

Assaultive offenders are generally high-risk clients who have very poor anger management skills and little regard for authority. These same clients have only a limited tolerance for administrative processes. Violent and aggressive offenders tend to become easily annoyed and angered when a probation officer is not readily available to intervene in time of need. This has resulted in aggressive and assaultive behaviour directed at probation officers and support staff. With larger caseloads, and less time devoted to clients including those who pose higher risk, the intent of therapeutic intervention is compromised and the benefits to the client diminished.

Increased case loads as well as the administrative mandates have placed tremendous stress on the probation officer as he/she attempts to balance the need to provide frequent and meaningful interaction with the client and the Ministry's inordinate demands for proper administrative practices. These expectations limit the amount of time spent on assessments, identifying collateral contacts and gathering information. Traditionally, increased time spent with a client enhances the rapport and trust factor, two characteristics essential in any healthy and therapeutic relationship. A thorough knowledge and solid understanding of the client facilitates the probation officers' ability to anticipate behaviour and intervene in a timely fashion thus avoiding potentially destructive aggressive and damaging outbursts.

#### Legislative changes (by no means exhaustive)

In 1996, Bill C-41 created among other things, the Conditional Sentence Release Act. As a new disposition available to the Courts it came with the promise that it would offset the number of incarcerates and consequently increase the number of offenders on community supervision who would otherwise serve their time in jail. Since the implementation of this new act, it has become abundantly clear that the number of incarcerates has not decreased and neither has the number of probation orders issued by the courts. However,

the number of conditional sentence orders imposed is over 40,000 to date. Many of these conditional sentences have been considered highly inappropriate, risky and time consuming. With this new workload there has been no corresponding increase in the number of probation officers hired to supervise these clients.

Consequently safety has and is being compromised and the stress exerted on probation officers is reaching epidemic proportions.

Another facet of the problem in response to the public demand for greater safety has been the mass hiring of police officers across the province of Ontario. This has led to more arrests which in turn has resulted in the need for more Crown Attorneys, Judges and court room facilities to prosecute the charges. There has been no corresponding hiring of probation officers who find themselves at the end of the “system” dealing with burgeoning caseloads. This new phenomenon has resulted in staff burnout, stress and increased health and safety concerns. In July 1999 changes to Bill C-41 stipulated that the Courts incarcerate offenders only when there is no other community-based option. This can only lead to a huge increase in the number of conditional sentence orders. Is there any likelihood that more probation officers will be hired to reflect the new current day reality?

Lately there have been newspaper articles across the province, which stated the need for more probation officers to handle the increased caseloads. At a recent Professional Development Day in Toronto, criminology professors Dr. Julian Roberts of the University of Ottawa and Dr. Anthony Doob, from the Centre for Criminology at U of T stated that there need to be more probation officers as well as improved training. Judge David Cole, sitting at the Scarborough Provincial Court and James Chaffe, Crown Attorney also supported the call for more probation officers.

Recommendations:

That probation officers across the province receive mandatory training on how to work with mentally disordered offenders

That probation officers across the province receive mandatory training in “self-protection”

That all probation officers receive mandatory training on diffusion of hostility

That the Ministry increase the number of probation officers in order to reduce the caseloads which will facilitate a more effective and safe rapport with offenders. The more time probation officers have to spend with their clients, the better the rapport, thus reducing the chances of their own personal safety becoming at risk.

That larger probation offices in the province who have a significantly higher caseload of clients have direct access to an in-house Staff Psychologist or Psychiatrist, who may provide support for probation officers and their violent client in time of need.

Allow for no vacant caseloads.

Improve communication with judiciary to prevent unsuitable offenders from being placed under community supervision (i.e. extremely mentally disordered, and those with numerous non-compliance convictions).

Increased budget for training and education, plus the understanding that technological advances will not solve the manpower problem.

In terms of an inter-ministerial response to this issue: in light of the closing of psychiatric facilities across the province, it is essential that increased services, housing supports and community support teams for the mentally ill be put into place.