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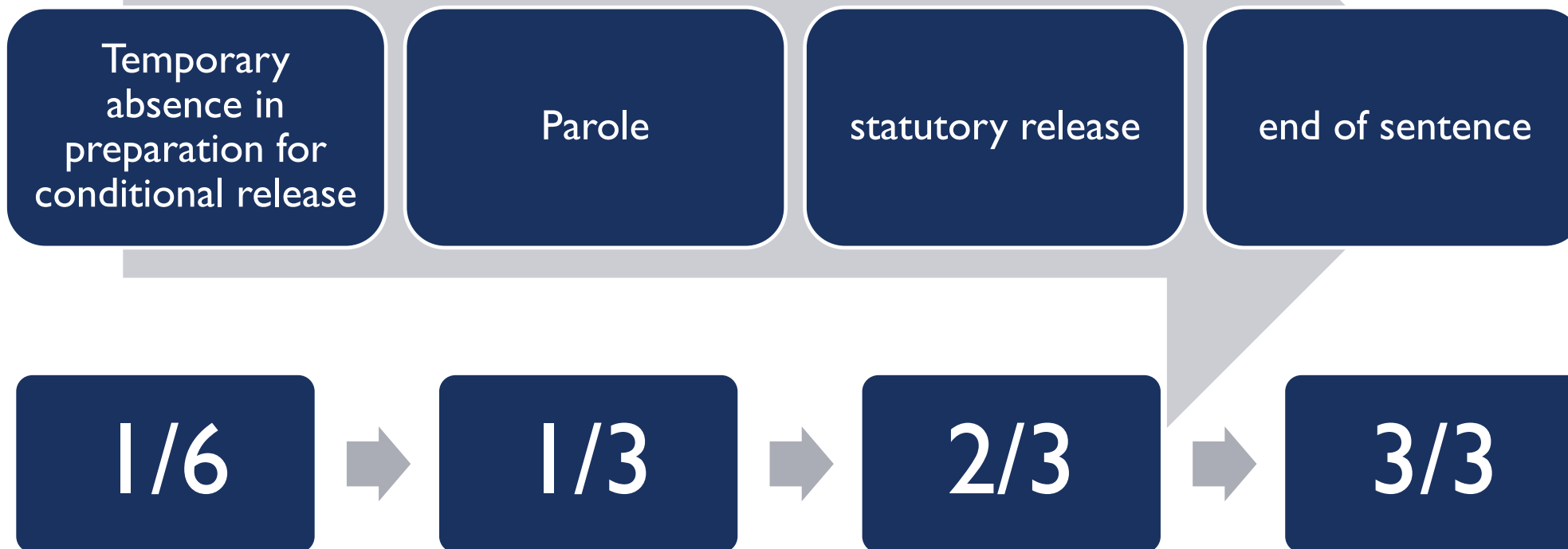
Accès au  
Droit et  
À la Justice



## EXPERT OPINION AND PAROLE DECISIONS: HOW RISK AND RECOMMENDATION AFFECT PAROLE DECISION?

Chloé Leclerc, Marion Vacheret, Marianne Quirouette and Joao Velloso

# HOW PAROLE WORKS IN JAILS (QUÉBEC, CANADA)



# CONTEXTUAL ELEMENTS

- Parole is the best way to re-entry
  - However, parole is not for everyone
- Risk is an important element of parole decision making
  - Risk/need-based instruments serve to plan intervention and release conditions
  - However, almost all people released on parole have low/medium risk

# CURRENT STUDY

- How is risk conceptualized?
- What place does it take in decisions ?
- What are the issues of these practices surrounding risk ?

# DATA COLLECTION

- **Database**
  - Annual Statistics (2010-2019)
  - Eligible parolees in 2014-15 (n= 3 675)
- **Interviews (n=81)\***
  - Inmates (n=33)
  - Correctional officer (n=30) halfway houses personal (n=18)
  - Commissioners (n=11)
- **Observations\***
  - Intake process at four correctional facilities (n=67 days)
  - Sessions at the CQLC (n=31)
- **Documentation\***
  - 31 written decisions of the Commission (with file) and 5 files

\* Data collected by Valérie Beaucaire, Myriam Charrette, Marion Delabryère, Alexia Vanderwee, Alexandrine Gauvin et Josiane Lange



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Risk and  
NEEDS

Acceptable  
risk for  
SOCIETY



Risk for  
SECURITY  
AND  
HARMONY

Risk of  
BREACH



# RISK CONCEPTUALIZATION

# RISK IMPORTANCE FOR CORRECTIONAL RECOMMENDATION

	<b>% positive Recommendation</b>
Low (0-10)	90% (7 % of the sample)
Medium (11-19)	69%
High (20-29)	41%
Very high (30-43)	22 % (25% of the sample)

- Affects the way they talk about parole to inmates
- Changes the level of resources available for the inmate
- Guides interventions and release plan

# RISK IMPORTANCE FOR INMATES

	% max out
Low	6%
Medium	21%
High	46%
Very high	65 %

	% max out
Recommended	62 % (30% of the sample)
Non-recommended	22 % (10% of the sample)

- Realistic assessment of their chance of being granted parole
- Refusal of the conditions or supervision required in regard of their level of risk (see as much more difficult than being in prison)
  - « Outside I will need to do three meetings par week minimum, I will need to attend school, Work... I can't do it all at the same time. Say I go to school from 8 to 4, then I work from 5 to 9...[...] and i need to do 3 meetings in my week, how can I do that? (Jenny, 20 years old first incarceration)
- Integration of professional regards
  - «She told me that she won't recommend me. At first, I was mad but after I thought about it and I think she was right»



# RISK IMPORTANCE OF COMMISSIONERS

	% granting
Low	93%
Medium	66%
High	41%
Very high	21 %

	Granting	Refusal
Recommended	70 % (44% of CQLC decision)	30% (19%)
Non-recommended	20 % (7 %)	80% (30% of CQLC decision)

# CONCLUSION

- Medium and high risk are discourage to apply to parole because of the level of monitoring
- Difficulties arises from being incapable of following conditions, not about recidivism
- People with more need do re-entry are left without help
- Marginalized person have few chances of release

# SO, WHAT SHOULD WE DO ?

