


Chapter:	<b>Community Case Management</b>	Classification:	<b>Public Document</b>
Subject:	<b>Bail Supervision and Support Program</b>		
For:	<b>Entire Division</b>	 Authorized by Executive Director	

## 1. Policy

- 1.1 Correctional Services will partner with designated community-based agencies to provide a Bail Supervision and Support Program through electronic supervision assessment and monitoring of individuals, who
- 1.1.1 without enhanced supervision would normally be remanded to custody, and
  - 1.1.2 agree to participate as a condition of judicial interim release


## 2. Authority

- 2.1 The authority for this policy is derived from
- 2.1.1 section 515 and 810 of the *Criminal Code* (CC), regarding judicial interim release
  - 2.1.2 Section 3(1)(g)(v) of the *Correctional Services Act* regarding the use of electronic supervision
- 2.2 The Bail Supervision and Support Program will be facilitated in accordance with
- 2.2.1 policy and procedure, Subject No. 14.04.00, [Electronic Supervision](#), and
  - 2.2.2 this policy

## 3. Definitions

- 3.1 For definitions related to Electronic Supervision refer to Policy & Procedures, Subject No. 14.04.00, [Electronic Supervision](#), section 4, *Definitions*
- 3.2 Bail refers to a process in which an individual charged with an offence is released from custody, with or without conditions, pending final disposition of the case. Bail is also referred to as a Judicial Interim Release Order.
- 3.3 Community based agency is a non-profit community-based agency responsible for providing support and case management to accused individuals approved for Bail Supervision and Support Program,

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#### **4. Guidelines**

- 4.1 Electronic Supervision may be used to
  - 4.1.1 enhance supervision and monitoring capabilities
  - 4.1.2 support the individual to comply with their judicial interim release order conditions
  - 4.1.3 increase the individual's accountability
  - 4.1.4 enhance overall public safety
  
- 4.2 Electronic Supervision will be provided at one of four levels
  - 4.2.1 Level 1 - Voice Verification
  - 4.2.2 Level 2 - SmartLINK (smartphone app)
  - 4.2.3 Level 3 - Radio Frequency (ankle cuff)
  - 4.2.4 Level 4 - Active GPS tracking (ankle cuff)


#### **5. Eligibility**

- 5.1 To be eligible for a judicial interim release to participate in the Bail Supervision and Support Program, an accused individual will have
  - 5.1.1 a structured release plan pre-approved by Correctional Services and/or the designated community-based agency, that may include electronic supervision
  - 5.1.2 verification of adequate technology that matches the level of electronic supervision (i.e., SmartLINK will require a compatible smartphone, GPS ankle monitor will require adequate cell service, etc.)
  - 5.1.3 a condition on their judicial interim release order to participate in the Bail Support and Supervision Program as directed by Correctional Services and/or designated community-based agency
  - 5.1.4 a condition on their judicial interim release order to participate in electronic supervision as directed by Correctional Services

#### **6. Screening and Approval Process**

- 6.1 A Bail Supervision and Support Program assessment will be requested by the Court and sent to a designated Correctional Services supervisor to be


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assigned based on location. These requests should allow for a minimum of one week to complete, prior to the return to court date.

- 6.2 The supervising Correctional Services staff assigned to complete the report for Court will complete
- 6.2.1 an intake interview with the individual to gather necessary information pertaining to their potential release
  - 6.2.2 a Level of Service Case Management Inventory
  - 6.2.3 an Electronic Supervision Suitability Assessment, ([14.04.00 A](#))
  - 6.2.4 a consultation with staff from the partnering community-based agency, regarding the suitability for an individual into this program
  - 6.2.5 a Bail Supervision and Support Program Assessment ([23.03.00-A](#)), to be provided to the community-based agency staff
  - 6.2.6 a Bail Supervision and Support Court Summary Report ([23.03.00-B](#)), to submit back to the Court
- 6.3 When reviewing a case for the Bail Supervision and Support Program, the staff conducting the assessment will
- 6.3.1 reference and verify all pertinent information and record results in the assessment forms
  - 6.3.2 upon completion
    - 6.3.2.1 review them with their direct supervisor as required
    - 6.3.2.2 once approved, submit the Bail Supervision and Support Program Court Summary Report ([23.03.00-B](#)), to the court with an explanation regarding the staff person's recommendation.
- 6.4 Where an accused individual is granted a judicial interim release with a condition to participate in the Bail Supervision and Support Program including electronic supervision and the condition is required to be met before the accused individual is to be released from custody, custody staff will coordinate with community corrections staff to facilitate the release in accordance with Policy and Procedures, 38.01.02, [Release Orders Administered in Custody](#) .

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- 6.5 The accused will be informed of the following obligations regarding their participation in the program, to
- 6.5.1 report as directed to the designated community-based agency or local Correctional Services location, and participate as required
  - 6.5.2 sign consent forms with respect to the sharing of information between Correctional Services and the designated community-based agency responsible for providing case management and support services
  - 6.5.3 sign any agreement/consent forms with respect to participation in Electronic Supervision


## 7. Monitoring

- 7.1 All accused individuals released on a judicial interim release with conditions to participate in a Bail Supervision and Support Program and electronic supervision will be
- 7.1.1 designated P1 (Priority one), in the established *Alert Response Protocols*, [14.04.00-D](#), unless exceptional circumstances exist that allow for the individual to be supervised at P2. These circumstances will be discussed and approved by the Correctional Services staff responsible for Electronic Supervision
  - 7.1.2 monitored by the Monitoring Operations Centre, see Policy & Procedures, Subject No. 14.04.00, Section 11, [Electronic Supervision](#)
  - 7.1.3 it is understood that alert response management for the SmartLINK app is the responsibility of Correctional Services and will not be used for high risk clients requiring an immediate alert management response.

## 8. Enrollment and Installation of ES Equipment

- 8.1 Enrollment and installation of equipment for accused individuals participating in ES will be completed in accordance with Policy & Procedures, Subject No. 14.04.00, Section 7, [Electronic Supervision](#).

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## 9. Compliance

- 9.1 When an accused individual has failed to comply with the conditions of judicial interim release, enforcement decisions will be guided by Core Correctional Practices and the least restrictive decision, that is consistent with the protection of society, will be made to hold the individual accountable in a meaningful and timely manner. Efforts will be made to resolve non-compliance using a restorative approach, including a referral to the Nova Scotia Restorative Justice Program (NSRJP) as appropriate.
- 9.2 Supervising Correctional Services staff will make enforcement decisions in consultation with the community-based agency caseworker and designated Correctional Services supervisor.
- 9.3 In instances where an accused individual has failed, without lawful excuse, to comply with the conditions of their judicial interim release and a less intrusive enforcement option is not suitable, the supervising Correctional Services staff will refer the matter to local Police and provide any relevant/supporting documentation.

## 10. Removal of Equipment

- 10.1 ES equipment will be removed from an accused individual where the
- 10.1.1 judicial interim release order has expired
  - 10.1.2 accused individual has been admitted to custody (e.g., bail revocation or incurring new charges)
  - 10.1.3 accused individual received a variation to their judicial interim release removing the condition to participate in electronic supervision
- 10.2 In all cases where an accused individual is removed from ES, the supervising Correctional Services staff will
- 10.2.1 deactivate the accused individual via the vendor online software

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- 10.2.2 with a witness, remove ES equipment from the accused individual using approved PPE and obtain all other equipment
- 10.2.3 document the reason for removal on JEIN
- 10.2.4 arrange to have the equipment returned to the vendor as soon as possible

**11. Victim Notification**

- 11.1 For procedures on victim notification refer to Policy & Procedures, Subject No. 14.04.00, Section 9, [Electronic Supervision](#).


**12. Stolen Damaged or Lost Equipment**

- 12.1 Correctional Services will pursue prosecution of accused individuals who have lost, stolen or willfully damaged ES equipment assigned to them. The supervising Correctional Services staff will
  - 12.1.1 make reasonable attempts to obtain the ES equipment
  - 12.1.2 if unable to obtain the equipment and where circumstances warrant, contact the local police, requesting a criminal investigation be opened and criminal charges be laid
  - 12.1.3 where a charge is laid and the accused individual is found guilty, make a request to the Court that the accused individual be ordered to pay restitution.

**13. Documentation**

- 13.1 Supervising Correctional Services staff are responsible for the following documentation regarding an accused individual's participation the Bail Supervision and Support Program
  - 13.1.1 completing the initial assessments
  - 13.1.2 opening a file in accordance with Policy & Procedures, Subject No. 14.00.00, [Opening and Closing Files](#)
  - 13.1.3 assigning an offender case management record (OCM #) in accordance with Policy & Procedures, Subject No. 14.01.00,

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[Offender Case Management – Justice Enterprise Information Network \(JEIN\)](#)

- 13.1.4 uploading required documents to JEIN
- 13.1.5 maintaining current and accurate case notes on JEIN of accused individuals