



Offenders on judicial orders: Implications for evidence-based risk management in policing

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ABSTRACT

There is little known about individuals who serve judicial protective orders called Section 810.1 and 810.2 peace bonds. Many Canadian police services provide supervision of these individuals, who are deemed high risk for violence, yet little research has been done on community supervision by police. The current study profiles the characteristics of 45 adult supervisees who were serving 810.1 and 810.2 orders and supervised by a local police service. The findings indicate that a majority of these individuals have experienced childhood abuse and neglect, lack high school education, were exposed to parental alcoholism, and demonstrated evidence of mental health problems. Further, and perhaps less surprising, they had remarkable histories for criminal behaviour, in terms of frequency, severity, and antisocial behaviour. Most of the individuals had criminogenic risk factors and responsivity issues that required attention at the start of their supervision. This study highlights the high needs of individuals under judicial orders and provides insight into the level of resources needed to supervise them. Implications for training law enforcement in applying effective principles of rehabilitation and risk assessment are discussed.

Key Words High-risk offenders; warrant expiry date (WED); 810.1 and 810.2 peace bonds; police.

INTRODUCTION

In Canada, inmates who are incarcerated until the very end of their sentence and have not been released in the community through parole are at a greater risk of committing another crime than inmates who have received supervision in the community (e.g., successful completion rate of day parolees, 91%; full parolees, 88%; statutory release offenders, 63%; Parole Board of Canada [PBC], 2014). The offenders who reach the end of their full sentence, or what is called their warrant expiry date (WED) are no longer under the jurisdiction of the criminal justice system or the correctional system and legally do not receive any follow-up. However, for some of these offenders who have been assessed to be a high risk for sexual and violent offences, an application by the Crown to the court can be made to consider a post-sentence supervision order in the province where an offender is released. Hence, when an offender is assessed to be high risk and, more importantly, the courts decide that they should be placed on a judicial order, under Section 810.1 or 810.2 of the *Criminal Code*, the police or probation in the province or territory where the offender relocates are subsequently responsible for monitoring them for a certain amount of time (Correctional Service Canada [CSC], 2018). To date, little is known about this group of

offenders, released at the end of their federal sentence. It is important to gain a better idea of the demographic characteristics, background, and criminal histories of these released offenders and to gain a relative understanding of the types of criminogenic risk factors that should be addressed in supervision. This paper is intended to provide a profile of the characteristics of WED offenders who have been referred to a local Canadian police service for supervision and monitoring. It is hoped that we can consider how evidence-based practices, already established within the correctional psychology field, can provide a foundation for the supervision and management of WED offenders in the community with the knowledge of how these offenders present.

The forensic literature shows that there is a greater chance for reoffending by inmates who have never been supervised in the community during their sentence. The PBC (2014) reported that 91% of day parolees successfully complete parole (e.g., no new charges), while 88% of those who receive full parole and 63% of those given statutory release were successful. Once the inmate reaches their WED, federal correctional agencies, namely, CSC and the PBC, no longer have a legal mandate over these individuals and, by law, must release them (CSC, 2018). It is notable that WED offenders are less likely to be eligible for parole release due

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to a number of factors, such as a decreased motivation to engage in institutional programming or non-completion of rehabilitation. Before WED offenders are released, some considerations are made by CSC. If CSC has reasonable grounds to believe an inmate will pose a threat when released, a comprehensive information package is prepared (Harris, 2001). Current practice requires that CSC forward the WED package to the police in the receiving jurisdiction at least 90 days before release, and this package includes the offender's criminal profile, correctional plan, records of institutional behaviour, and any psychological and/or psychiatric evaluations (Harris, 2001).

When an offender is deemed high-risk for engaging in sexual or violent behaviour, an application can be made to the court by the Crown, under Section 810.1 or 810.2 of the *Criminal Code*. These judicial orders are intended to provide a method to restrict the movement and behaviour of a particular person where there are reasonable grounds to believe that this person may, in the foreseeable future, create victims of a violent crime or a sex offence (Harris, 2001). These orders can be made for a maximum of one or two years and require the consent of the Attorney General of the province. Conditions can be attached to these orders, where a breach of an 810 order constitutes an offence. Should a defendant refuse an 810 order, they can be imprisoned for up to one year. In addition, crown prosecutors and police in the province or territory where the offender relocates are subsequently responsible for deciding whether they will release a public notification about an offender released at warrant expiry (Harris, 2001). Once an 810 order is granted, the peace bond may be renewed by application to a court and has no geographical restrictions (i.e., enforceable throughout Canada); a breach of any condition of a peace bond is a criminal offence and can be prosecuted. There are two types of 810 orders: 810.1 (Where Fear of a Sexual Offence) and 810.2 (Where Fear of a Serious Personal Injury Offence). An 810.1 order is employed when the concerns about an individual involve a fear of a sexual offence against one or more persons who are under the age of 16 years, and an 810.2 order is considered when there are concerns involving fear of an individual causing serious personal injury, whether violent and/or sexual (*Criminal Code of Canada*, 1985).

Once the WED offender is granted an 810 recognizance order, police services proceed with supervision and monitoring. However, police services across Canada vary in how they administer supervision. For example, some provinces have integrated police services for high-risk offenders and designate a sworn member, a unit, or a section to supervise 810 offenders (Weinrath et al., 2015), while others rely on probation services to supervise (Calverley & Beattie, 2004). There is a significant community concern about releasing untreated, high-risk offenders who have yet to demonstrate the ability to reintegrate in the community and who have been publicly "outed" via community notifications about their impending release. Hence, supervision and management of high-risk sexual and violent offenders may centre on the inmate's safe reintegration into the community and assisting the inmate to find programs necessary to achieve stability.

Little is known about this select group of offenders. It is typically incumbent on the officer or detective to review, assess, and manage the offender. Law enforcement has been

historically and primarily tasked with enforcing federal laws, and at best, monitoring criminal behaviours and offenders, but not proactively managing them. Since supervision of offenders on 810 orders may focus on offenders' safe reintegration into the community, it is relevant to assess risk and criminogenic needs, develop a reintegration plan, and implement services for the offender that involve both social work tasks and counseling services (Chadwick et al., 2015). Given that these are areas of expertise not typical of police training, there is little to no empirical work that has examined police management of released offenders who are no longer under the jurisdiction of parole or correctional services.

In other criminal justice settings, such as probation and parole services, there has been a plethora of research examining effective approaches to supervision. In fact, within the realm of correctional psychology, there have been many advances in the field of risk assessment and management of convicted offenders over the past 25 years (see Hanson, 2009). Of key importance are the risk, need, and responsivity (RNR) principles of rehabilitation, which provide guidance concerning how much service, what types of interventions, and how services should be delivered to people who have committed crimes (Bonta & Andrews, 2017; Jung, 2017). In brief, the risk principle asserts that the intensity of services must match an offender's risk level. Second, the need principle highlights the importance of interventions that focus on criminogenic needs, which are factors that cause criminal behaviour and are associated with reoffending. These include the "central eight" risk factors (history of antisocial behaviour, family/marital circumstances, school/work, leisure/recreation, substance abuse, antisocial personality pattern, antisocial cognition, and antisocial associates), which are known to be key predictors of general criminal and violent criminal behaviour. Lastly, the responsivity principle asserts that services should be given in a manner that takes into account the personal characteristics of an offender (e.g., cognitive deficits, level of motivation, psychopathic traits) that may impact the effect of interventions. Offender rehabilitation and supervision that adhere to the RNR principles are associated with significant reductions in reoffending, whereas rehabilitation that fails to follow the RNR principles yields minimal reductions in recidivism and, in some cases, even results in increased recidivism (see meta-analytic studies by Andrews et al., 1990; Dowden et al., 2003). Although there are many ways to use research to improve policing processes, only recently has attention been drawn to the use of evidence-based practices to help guide police decision-making and the management of offenders (e.g., Kewley, 2017a; Sherman, 2013).

The goal of this research is to provide a descriptive profile of criminal and personal characteristics, criminogenic risk factors, and community supervision. Examining the profile of referred cases allows a relative comparison of offenders, in general, on a comprehensive set of variables (i.e., demographics, criminal history, mental health status, risk factors, responsivity issues). Files of 45 offenders who were supervised under a Section 810 order by a local police service were reviewed for this study. Although this goal is purely descriptive, it is necessary to examine the composition of offenders referred and the prevalence of criminogenic risk factors that reflect their case load and thereby dispel assumptions regarding offenders who are supervised under Section 810.

METHOD

Sample

The sample comprised 45 offenders who were on judicial orders and supervised by a local police agency upon their release from incarceration. Offenders were primarily referred by federal corrections. In terms of the type of supervision, 26.7% ($n = 12$) were supervised with a Section 810.1, and 73.3% ($n = 33$) were supervised with a Section 810.2. The average number of days from the time of referral until the date of release was 108 days ($SD = 84.19$; median = 87 days; range 7–450). The age of the individuals ranged from 20.1 to 77.2 years, with an average age of 41.4 ($SD = 12.78$; median = 40.5 years), and a majority identified as male (95.6%; $n = 43$), while 4.4% ($n = 2$) identified as transgender female. In terms of ethnicity, 57.8% ($n = 26$) identified as Aboriginal or Metis, 37.8% ($n = 17$) as Caucasian or White, and 4.4% ($n = 2$) as Black.

Sources of Information and Measures

Each case file included referral documents (e.g., institutional records and reports, criminal records, police reports), risk evaluation reports completed by police detectives, case notes completed by supervising police detectives, videotaped interviews, and documentation of breaches and criminal offending during supervision from local, provincial, and federal criminal records. In light of the number of sources reviewed, a reliable coding process was developed to operationalize and extract variable information from police documentation. This study is part of a larger endeavour to examine the profile of these offenders supervised with a judicial order, as well as the supervision and monitoring of these offenders and the predictive ability of their criminogenic needs for future justice-involved outcomes. Hence, three coding forms were developed for the larger program of research: (A) variables that pertain to the offender at the start of the supervision (information regarding demographics, sentencing, index offence, and incarceration variables); (B) variables that refer to supervision by the police unit after the offender is released upon warrant expiry (this form is repeatedly used for each 4-month time period; e.g., 0–4 mos, 5–8 mos, 9–12 mos, etc.) to assess the needs of the offender during each 4-month period; (C) recidivism outcomes that include the presence of any reoffence, violent reoffence, and sexual reoffence, along with dates of the reoffence.

For the current study, form A was used to examine the index offence, demographic and personal information about the supervisee, and criminal history. Moreover, variables related to the offender's personal history, criminal history, criminogenic needs, and responsivity factors were coded and examined. These variables were dichotomized (e.g., experienced sexual abuse, 0 = no, 1 = yes; history of mood disorder, 0 = no, 1 = yes), and criminogenic needs based on the "central eight" risk factors identified by Bonta and Andrews (2017) were assessed, along with responsivity issues identified in both Bonta and Andrews (2017) and Jung (2017). Criminogenic needs that were specific to sexual offending risk were sampled from Mann et al.'s review (2010) of psychologically meaningful risk factors.

In addition to these dichotomous variables, we also operationalized the severity of criminal histories using the

Cormier Lang Criminal History Score (CLS) to quantify past criminal charges and convictions. The CLS assigns numerical values to a series of charges and convictions for violent and non-violent crimes (see Quinsey et al., 2015, for the derivation and development of the CLS); higher numerical values indicate more severe criminal histories. The Screening Scale for Pedophilic Interests (SSPI; Seto & Lalumière, 2001), which is a measure of pedophilic interests for use with individuals who have been convicted of sexual offences, was also scored. The SSPI comprises four items representing victim characteristics that are empirically established correlates of pedophilia (i.e., presence of male victim, more than one victim, victim is under the age of 12, unrelated victim) and has been shown to be associated with phallometric measures of pedophilic interest.

PROCEDURE

This research was conducted in Edmonton with the local police service and a specific unit that comprises trained detectives who supervise and manage these offenders, called the Behavioural Assessment Unit (BAU). A research protocol application was reviewed and approved by the police service, and the first author's institutional research ethics board approved the research.

Data extraction involved a development stage and a period of review and coding. In the 2-month development stage (May–June 2019), the principal researcher and a trained research assistant reviewed five case files to ensure constructs for research variables were clear and variables were codable from police documents. This process led to the development of several coding forms (previously described).

Files were reviewed and coded over a 10-month period from July 2019 to April 2020. Cases eligible for inclusion met the following criteria: Supervision occurred between 2016 and 2019 (i.e., supervision that did not overlap with this range, e.g., only prior to 2016, were not included), individual was supervised for at least 4 months by BAU (i.e., if supervision was less than 4 months, due to reincarceration or transfer to outside jurisdiction, individuals were not included in the sample), and a Section 810 recognizance order was in place (i.e., recognizance was selected as the criteria as often the Section 810.1 or 810.2 would not be officially in place until a court date was set, and this could take as long as 2 years). It is important to note that the current study is part of a larger project examining police supervision and therefore we excluded cases where supervision was less than 4 months in length to ensure we were able to meaningfully examine supervision (e.g., documentation was more complete with longer periods of supervision). Fewer than five cases were excluded for this reason.

As a result, the principal researcher reviewed a total of 45 cases. For most cases reviewed, the first time period examined began at the start of the offender's BAU supervision (91.1%; $n = 41$). Of the 45 cases, supervision was ongoing beyond the research end date for 42.2% ($n = 19$) cases, while 22.2% ($n = 10$) reached the end of the supervision and 24.4% ($n = 11$) went on to be supervised by probation due to new supervision orders. A small number of cases involved offenders who left Edmonton and were no longer under the jurisdiction of the police service (4.4%; $n = 2$) or died during the period of

supervision (4.4%; *n* = 2), while one case (2.2%) had the 810 withdrawn by the court.

RESULTS

The following provides a descriptive examination of the offenders on a Section 810 order who were being supervised and monitored. For continuous variables, means, standard deviations, and medians are reported for each variable. For categorical variables, percentages and frequencies are reported. Reported percentages are based on a number of offenders out of the total sample of 45, unless otherwise indicated. The following sections are broken down into historical information about the offender, criminal and sexual violence history, criminogenic needs, and responsivity factors.

Historical Information

Historical variables about the individuals in the sample were examined, and descriptive information is reported in Table I. More than half were noted to have engaged in childhood aggression (e.g., assaulted others, including family members or peers). Over 70% of offenders had a history for parental alcoholism, and it was noted that two-thirds had a family member or spouse with a criminal history. More than three-quarters of the sample did not complete high school education with 40% being expelled or suspended from school. Medical issues requiring treatment, were noted in 40% of offenders.

Criminal History and Sexual Violence Variables

To gain a picture of the offending profile for those under judicial orders, we explored the criminal histories of our sample, and these variables are listed in Table II. In terms of frequency of criminal offending, the offenders in this sample had a mean of 37.1 convictions and 17.2 sentencing dates prior to entering an 810 order. The sample had a mean score of 58.8 on the CLS, which was used to assess severity of criminal history. When overall aggression was classified, a majority (85%) of offenders were identified as “clearly proactive” (i.e., evidence of planned, controlled, unemotional forms of aggression), with the remaining 15% showing only some proactive aggression or no evidence at all (i.e., impulsive, affective, reactive forms of aggression).

The nature of their offending behaviour (in terms of arrests and convictions) was also surveyed. A majority of offenders engaged in institutional misconduct (73.3%) and

persistently violated community supervision orders (93.3%; with 82.2% having three or more such violations). Less than half escaped custody or were unlawfully at large. When non-violent offending was examined, more than half had substance-related (62.2%), weapons-related (73.3%; e.g., possession of a firearm), and uttering threats (51.1%) offences. A large proportion of the sample (84.4%) had a history of non-sexual violent offences (i.e., violence that involved contact and did not involve sexual violence; e.g., assaults, attempted murder, murder, confinement), and similarly, a large proportion (80%) had a history of sexual offences on their criminal record (i.e., sexual offending that may or may not have involved direct contact; e.g., sexual assault, indecent act, possession of child pornography). Regardless of whether the violent offending involved or did not involve sexual violence, 53.3% had violent offences against an intimate partner.

Of the 36 offenders with a sexual violence criminal history, specific features of their sexual offending were coded, and these are summarized in Table III. A little less than half had sexually assaulted a stranger, and 50% of the subsample had sexually assaulted an unrelated child victim (child victim was defined as being under age 15). A third

TABLE II Criminal histories of individuals on judicial orders

Criminal history variables	%/Mean	Frequency/SD
Frequency		
# convictions	37.11; Mdn = 34; range = 3–118	24.12
# sentencing dates	17.18; Mdn = 13; range = 1–55	12.00
Severity of criminal history	58.84; Mdn = 48; range = 2–132	39.06
Type of aggressor		
Clearly proactive	84.4%	38
Some evidence	13.3%	6
No evidence	2.2%	1
Supervision problems		
Institutional misconduct	73.3%	33
Escape or unlawfully at large	44.4%	20
Community violations, any	93.3%	42
Community violations, 3 or more	82.2%	37
Non-violent offences		
Substance-related	62.2%	28
Weapons-related	73.3%	33
Utter threats	51.1%	23
Violent offences		
Violent	84.4%	38
Intimate partner violence	53.3%	24
Sexual	80.0%	36

N = 45.

TABLE I Historical and personal characteristics of individuals on judicial orders

Historical and personal characteristics	%	Frequency
Childhood aggression	63.6%	28
Parental alcoholism	70.7%	29/41
Has criminal family or spouse	66.7%	27
Suspended or expelled from school	40.0%	18
Did not complete high school	77.8%	35
Has a medical problem requiring attention	40.0%	18

N = 45 unless otherwise noted.

offended against more than one child victim, and a small proportion of offenders sexually offended against a male child. Less than half of the sample abused a child who was under the age of 12. Note that these five variables comprise the SSPI (i.e., assesses the degree of pedophilic interest), and the average summed SSPI total for the total sample was 1.58 (*SD* = 1.76). However, when examining only offenders where an 810.1 was applied (i.e., concerns of sexual offending against persons under age 16), the average score was much higher, *M* = 3.58 (*SD* = 1.08; range 2–5; *n* = 12).

Criminogenic and Responsivity Variables

As noted earlier, criminogenic risk factors are believed to cause criminal behaviour and have been shown to be empirically associated with reoffending (Bonta & Andrews, 2017). Several “central eight” risk factors and sexual violence-related factors were coded from files. Although the previous section reported the persistence and severity of the offenders’ criminal histories, which reflect antisocial behaviour, other criminogenic factors also include criminal attitudes, employment problems, substance abuse variables, sexual deviancy variables, and sexual preoccupation, and these are listed in Table IV.

TABLE III Sexual violence histories of individuals on judicial orders

Sexual violence history variables	%	Frequency
Sexual assault against a stranger	44.4%	16
Has male victim under age 15	11.1%	4
Has more than one victim under age 15	33.3%	12
Has victim under age 12	44.4%	16
Has unrelated victim under age 15	50.0%	18
Possessed child sexual exploitation materials	19.4%	7

N = 36 cases with a sexual violence criminal history. The first 5 items comprise variables from the Screening Scale for Pedophilic Interests.

TABLE IV Criminogenic needs of individuals on judicial orders

Criminogenic needs	% / Mean	Frequency / <i>SD</i>
Has attitudes that support crime	84.4%	38
Was frequently unemployed	84.4%	38
Has substance abuse problem		
Alcohol	86.7%	39
Drug	82.2%	37
Teenage alcohol use	68.9%	31
Degree of pedophilic interest	1.58; Mdn = 0	1.76
Evidence of sexual deviancy	47.2%	17/36
Pedophilic interest	33.3%	12/36
Fetishistic interest	8.3%	3/36
Sadistic interest	8.3%	3/36
Evidence of sexual preoccupation	69.4%	25/36

N = 45 unless otherwise noted.

A majority of the sample demonstrated attitudes that were supportive of criminal behaviour, and a similar majority of the sample had employment problems and were frequently unemployed. When we examined substance abuse problems, both alcohol and drug abuse, a large proportion (over 80%) of the sample demonstrated this criminogenic risk factor, and over two-thirds were noted to have teenage alcohol abuse problems. For most offenders, substance abuse problems had led to law violations (88.9%; *n* = 40), family and marital difficulties (71.1%; *n* = 32), and education or employment problems (61.4%; *n* = 27/44). Only 62.2% (*n* = 28) of offenders entered some form of substance use treatment, with only 71.4% (*n* = 20/28) of those having completed treatment.

In addition to these “central eight” factors, risk factors specific to sexual violence risk were examined (see Mann et al., 2010, for review). As previously noted, offenders who were supervised with a Section 810.1 had high scores on the SSPI (when compared with the normative/development sample, Seto et al., 2004). We also coded for sexual deviancy and sexual preoccupation in our variable list. Of the whole sample, 47.2% showed evidence of sexual deviancy (i.e., sexual interest or preference for atypical sexual interests, such as children, animals, inanimate non-sexual objects), and of the types of atypical interests, pedophilia was noted for a third of the sample. Also, nearly 70% of offenders demonstrated sexual preoccupation (e.g., frequently masturbates, uses pornography excessively, uses sex to cope).

Several responsivity issues (i.e., offender characteristics that may impact the effectiveness of interventions and supervision) were prevalent among the sample (see Table V). As previously mentioned, more than 50% of the sample were of Aboriginal or Metis ancestry. Also, a large proportion of the sample had experienced some form of adverse childhood

TABLE V Responsivity issues of individuals on judicial orders

Responsivity issues	%	Frequency
Experienced abuse and neglect	73.3%	33
Sexual	53.7%	22
Physical	61.0%	25
Neglect	12.2%	5
Evidence of a mental health history	73.3%	33
Has taken psychiatric medication	48.9%	22
History of suicidal ideation and/or attempt	46.7%	21
Mood disorder	24.4%	11
Anxiety disorder	22.2%	10
Psychosis	28.9%	13
Personality disorder	57.8%	26
Antisocial personality disorder	24.4%	11
Borderline personality disorder	2.2%	1
Psychopathy	11.1%	5
Identified with a developmental delay	42.2%	19
Makes excuses for offending behaviour	86.7%	39

N = 45.

experiences and mental health difficulties. With regard to adverse experiences, we found that nearly three-quarters of the offenders had experienced some degree of abuse and/or neglect in their childhood, with the greatest prevalence being physical and sexual abuse, followed by neglect. In terms of mental health history, nearly three-quarters of offenders had a current and/or prior history of mental health difficulties, and almost half had taken psychiatric medications. In terms of mental challenges, just under half had a history of suicidal ideation or attempts and approximately a quarter of the sample was noted to have histories for mood, anxiety, or psychotic disorders. Personality disorders and traits that reflect personality disorder difficulties were noted in over half of the offenders, with a quarter noted as having antisocial personality disorder. Almost half had identified issues with developmental delay (e.g., low intelligence). In addition to these responsivity issues, most offenders minimized or denied their offending behaviours.

DISCUSSION

Examining the profiles of referred cases allows a relative comparison with offenders in general, on a comprehensive set of variables that include personal and historical variables, criminal backgrounds, criminogenic factors, and responsivity issues. Although this research has a purely descriptive goal, it is necessary to examine the composition of offenders on judicial orders who are referred to police and the prevalence of criminogenic risk factors and responsivity challenges that reflect their case load. When we examined criminogenic risk factors, the severity of their criminal histories (using the Cormier-Lang system; median of 48) were notably higher than other samples (e.g., sexual offenders, $M = 2.75$, Jung & Wielinga, 2019; general offenders, $M = 6.23$, Rice et al., 2013). Furthermore, the persistence of their offending behaviour was evident in the average number of convictions and sentencing dates. Many of these variables support an antisocial pattern and anti-authority variables, as seen in our sample, such as institutional misconduct and supervision violations. When violent behavioural patterns are examined, it is concerning that a majority of the sample were classified as proactive or instrumental in their aggression, which is often associated with traits related to psychopathy (see Glenn & Raine, 2009). Moreover, nearly two-thirds engaged in aggression as children. In addition to antisocial patterns, a majority also demonstrated criminal attitudes and had substance abuse problems. Most were limited in their education and had significant difficulty obtaining and maintaining employment.

For the subset of the sample who had a history of sexual offending, nearly half demonstrated some evidence of sexually deviant interests, with most having pedophilic interests. When only considering supervisees that had a Section 810.1 applied (i.e., concerns of sexual offending against persons under age 16), the scores on the SSPI was, on average, higher ($M = 3.58$; $SD = 1.08$) than other samples of individuals with child victims (i.e., $M = 2.78$ from sample taken from sex offender treatment program in a medium-secure federal penitentiary; Seto et al. 2004). Another sexual violence-related criminogenic factor included sexual preoccupation, which refers to an abnormally intense interest in sex that dominates psychological functioning (Mann et al., 2010). Over two-thirds

of our subsample showed evidence of sexual preoccupation. Such individuals may use sex to define themselves or to self-medicate when they are experiencing unpleasant feelings or circumstances and generally feel sexually dissatisfied despite engaging in a lot of (impersonal) sexual behaviours.

Several responsivity issues were also examined (i.e., factors that may serve as obstacles engaging the individual in rehabilitation or supervision and might pose challenges for supervisors to establish rapport; Jung, 2017). It was noted that a disproportionate number of offenders under judicial orders were identified as Aboriginal or Metis, and therefore, cultural responsiveness should be considered, as well as community resources that offer Aboriginal-specific programs. A majority of the individuals in our sample also had some adverse experiences in their childhood that included abuse or neglect and exposure to parental alcohol abuse. Across their lifespan, most of the offenders supervised with a Section 810 order had a mental health history with nearly half who had taken psychiatric medications and/or had suicide histories. Hence, referral to mental health services may be a typical source of intervention for police to consider. Another potential issue engaging supervisees is personal characteristics that reflect personality disorders, and, in this study, over half of the sample exhibited personality disorders that include antisocial personality disorder, but also traits reflective of other disorders, such as borderline personality and psychopathy. Nearly half of all the sample exhibited developmental delay, which can pose a challenge engaging them in supervision and community reintegration, requiring greater repetition and varied language to ensure comprehension of the conditions on a supervision order. Lastly, a majority of the sample made excuses and minimized their responsibility for their behaviour, and therefore motivational interviewing approaches may be useful to employ while developing the supervisory relationship (Tedeschini & Jung, 2018).

A clear observation from this descriptive profile of supervisees where Section 810 orders have been applied is that these individuals have many criminogenic risk factors and responsivity issues that existed prior to being released into the community. These particular needs are important to address in order to reduce risk for violent recidivism, but they are in addition to other basic needs that require immediate attention, such as stable housing, connection to community supports, transportation, and funding. In light of these caveats and challenges, which may be greater than for non-WED offenders (e.g., non-WED individuals may have access to parole services), it is expected that a great deal of resources are needed to ensure that community reintegration is successful. However, with the sanctions associated with judicial orders, it has been questioned whether supervision policies are often an exercise in expecting a supervised individual to violate their community supervision conditions (e.g., breach). Call (2018) highlights this issue and recommends that re-entry programming for sex offenders begin by preparing each individual for community release. They will likely face collateral consequences, so educating and preparing them could ease their reintegration back into the community through re-entry planning or, at the very least, emotionally preparing them to face barriers to successful re-entry. There is empirical evidence to suggest that comprehensive re-entry programming leads to lowered recidivism rates (Wilson et al., 2005, 2007).

Although the current literature has much to say about offender management, most of this work has focused on community supervision of offenders on probation or offenders who have been released on parole from a federal penitentiary. Probation and parole case managers are typically trained on offender management and supervision (Chadwick et al., 2015); after all, that is their primary role. However, law enforcement has mostly focused on enforcing federal laws, and only more recently has attention been drawn to monitoring criminal behaviour and offenders, particularly in partnership with probation (Gossner et al., 2016). Supervision and management of offenders focus on offenders' safe reintegration into the community and finding programs necessary to help make this happen. Much of this work involves assessment of risk and criminogenic needs, developing a reintegration plan, and implementing services for the offender that involve both social work tasks and counseling services. These are areas of expertise not typical of police training. There is little to no empirical work that has examined police management of released offenders who are no longer under the jurisdiction of parole or correctional services. Some work coming out of the United Kingdom has examined policing efforts in supervising registered sex offenders in the community (Kewley, 2017b). However, published work has focused on the extent to which risk is assessed and targeted in police practice (e.g., whether police used monitoring and/or interventions to target risk and needs during supervision) rather than the effectiveness of police supervision (e.g., whether monitoring and supervision lead to improved outcomes such as reductions in offending behaviour).

The next step is to identify risk factors relevant to positive outcomes. Positive outcomes include variables that demonstrate positive offender performance while in the community (e.g., acquiring stable housing, maintaining employment), and more directly related to lower risk, non-offending behaviour should be examined, such as no further arrests or breaches of conditions. The existing literature offers little in the way of guidelines on how to manage this minority of federal offenders (e.g., note that 74% of inmates are granted day parole from NPB; Public Safety Canada 2017). Bueermann (2012) has emphasized that police agencies should move beyond a reactive, response-driven approach and should instead get smart about crime control. A better use of limited resources would be to engage in effective approaches supported by empirical research. In more recent decades, policing has progressed from intuitive policing to more contemporary efforts in intelligent policing driven by data and scientific evidence (Bradley & Nixon, 2009), falling under the purview of evidence-based policing practices (Sherman, 2013). There are many ways that research can inform policing processes, but it is fairly recent that evidence-based risk assessments have been employed in police decision-making and the prioritization of criminal investigation cases (e.g., Jung & Pagé, 2017; Kewley, 2017a). An ultimate goal of using risk assessment in policing is to prevent further criminal behaviours and facilitate more efficient use of resources. Furthermore, risk assessment can be used to identify areas that are risk-enhancing and that can be both monitored and focused upon through intervention. Risk assessment is one of the most important and most frequent tasks required of those working with adults convicted of criminal offenses.

Formal risk assessments are needed to make many important decisions, including sentencing, case management, and rehabilitation of offenders. Although many risk tools have been heavily researched in correctional and forensic psychology, this type of research is much more limited in law enforcement settings (Saxton et al., 2020). The role of policing has expanded over the years, and one of the major tasks undertaken is the supervision and management of offenders in the community.

As noted, the current study is a descriptive profile of offenders who have been placed on a judicial order and supervised by law enforcement. Hence, there are some limitations. First, the results are limited to the geographical region (western Canada) from which the sample was retrieved, and by the municipal police service who provided supervision (e.g., versus provincial and federal policing organizations), reducing generalizability to other Canadian jurisdictions and types of policing agencies. Second, this study's sample was not an exhaustive list of offenders who received an 810 recognizance, as our study excluded individuals who had no supervision from 2016 to 2019, received less than 4 months of supervision, and may have been referred to Crown for an 810 recognizance but a Section 810.1 or 810.2 was not pursued.

Another limitation is that no comparisons with other offenders, including those who have successfully applied for parole, was conducted. Hence, a comparable group from the same jurisdictional region would be needed to make inferential conclusions and to particularly assess whether supervision of judicial order reduces overall risk and person-harm offences compared with those who were not placed on an order and imprisoned until WED. Moreover, an examination of supervision and outcomes from supervision is needed to more closely determine whether criminogenic and responsivity needs that were present at the start of supervision were also present during supervision, and whether the improvement of these needs predicted successful reintegration (e.g., prosocial behaviours such as employment and stable housing, abiding by supervision conditions, no further reoffences).

CONCLUSION

This exploratory study of individuals supervised under judicial orders, namely Section 810 peace bonds, provides a much-needed profile of a group of released offenders about whom we know so little. We can provide some tentative conclusions that suggest they have a number of criminogenic needs that require attention upon release and obstacles that reduce their responsiveness to supervision or may present challenges to effective rehabilitation. This exploration offers a glimpse into what law enforcement need to be prepared for in their re-entry planning and risk management efforts. Important next steps should include how police can most effectively supervise and manage the risk of these individuals, while navigating ethical conundrums that tie together the contrasting and possibly conflicting roles of enforcer and rehabilitation facilitator.

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CONFLICT OF INTEREST DISCLOSURES

Dr. Jung is the author of a book (Jung, 2017) and declares a financial interest in the publication cited in this article. No potential conflict of interest was reported by GK.

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