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SEP 04 2019

Mr. Frank Bosscha, Q.C.
Deputy Minister of Justice and Deputy Solicitor General Justice and Solicitor
General
224 Bowker Building
9833-109 Street
Edmonton, Alberta
T5K 2E8

**Re: Verdict at the Public Fatality Inquiry into the Death of Kenneth William
SCHAER at Drumheller Institution, Drumheller, Alberta, on
February 15, 2014**

Dear Mr. Bosscha:

The Correctional Service of Canada (CSC) thanks you for your letter dated March 22, 2019, and the report dated February 19, 2019, stemming from the Inquest, at which CSC was a voluntary participant, held on September 10, 2018, into the death of Kenneth William SCHAER at Drumheller Institution, in Drumheller, Alberta. While CSC recognizes that the recommendations are not binding, we have given them serious consideration and provide you with the responses below.

Recommendation 1:

It is impossible to remove all infrastructure vulnerability from the Institution; however, it is recommended that the closet/wardrobe clothes rods in cells at the Institution be identified as infrastructure vulnerabilities that require mitigation and a new design. *There was evidence replacing the rod in all cells is cost-prohibitive, and is being done on a staggered basis. New inmates, not having completed the intake and assessment process, should be held in cells that do not contain vulnerable infrastructure.*

CSC undertook an examination of the vulnerabilities of the clothes rods at Drumheller Institution, as well as options for using a different intake/assessment unit for new inmates. By November 2019, the institution plans to house new inmates, who have not completed the intake and assessment process, in a different unit with cells that do not have these clothes rods.

CSC is also currently developing a national plan to conduct field surveys of potential suspension point vulnerabilities in inmate cells. Data gathered will inform the development of a risk-based guideline for suspension point infrastructure aimed at reducing potential safety incidents, while remaining in compliance with codes and standards of the National Building Code of Canada. Once the guideline is completed, CSC will identify potential revisions to Commissioner's Directives, including the National Cell *Condition Checklist*.

Finding 2:

The routine patrols did not comply with policy and were inadequate. The employee conducting the patrols was terminated before this Inquiry, and procedures were implemented to prevent inadequate checks in future. In addition, the direction of the rounds have been varied to add greater unpredictability.

CSC concurs with this finding and notes that an internal investigation into the incident was convened on April 20, 2014. Following the investigation, CSC took appropriate corrective measures to address the issues raised.

Recommendation 3:

Ensure timely follow up with inmates after recurring absences from the medication line, even in the case of low-dosage, voluntary medication.

CSC acknowledges the importance of timely follow up after recurring absences from the medication line. In July 2018, CSC's *Medication Distribution and Administration Guidelines* were revised to outline actions to be taken by nurses when an inmate refuses a medication or misses medication distribution. Follow-up actions are to be completed by the nurse in a timely manner and take into account various factors, such as the type of medication, diagnosis and potential negative health outcomes of not taking the medication. These actions may include:

- Calling the unit/range to have the inmate sent to Health Services as soon as possible for administration of the medication;
- Counselling the inmate on the importance of their particular prescription;
- Notifying the physician;
- Informing other CSC staff on a need to know basis; and,
- Completing a referral to Mental Health Services.

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In addition, the updated *Guidelines* clearly indicate that nurses are to document all follow-up actions taken.

I trust the foregoing information effectively responds to the Inquiry recommendations.

Sincerely,

Original signed


Alain Toussignant
A/Commissioner

c.c.: The Honourable Judge M.V. De Souza, Provincial Court Judge
Will Randall, Legal Issues Advisor, Office of the Deputy Minister, Justice
and Solicitor General and Deputy Attorney General, Edmonton, Alberta
Jennifer Fuchinski, Fatality Inquiry Coordinator, Justice and Solicitor
General, Edmonton, Alberta
Senior Deputy Commissioner, National Headquarters (NHQ)
Regional Deputy Commissioner, Prairie Region
Director General, Executive Secretariat, NHQ
Executive Director and General Counsel, Legal Services, NHQ
Assistant Commissioner, Health Services, NHQ
Assistant Commissioner, Correctional Operations and Programs, NHQ
Assistant Commissioner, Corporate Services, NHQ
Director General, Incident Investigations Branch, NHQ
Office of the Correctional Investigator