

March 7, 2019

Anne Kelly
Commissioner
Correctional Service Canada
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Ottawa ON K1A 0P9
Anne.Kelly@CSC-SCC.GC.ca

Dear Anne Kelly:

I have attached the Honourable Judge J.D. Holmes' report to the Minister of Justice and Solicitor General regarding the public fatality inquiry into the death of Juan Penner Wiens. This report will be publicly released on April 1, 2019.

The following recommendations may impact Correctional Service Canada:

- To shorten response times and increase the likelihood of successful emergency intervention, not only in the case of drug overdoses but other medical emergencies, a nurse or an appropriately qualified EMT should be on site at all times. This should be accomplished without compromising funding for existing nursing services or mental health and addictions programs which reduce demand for illegal substances within the institution.
- The government initiate an independent commission, or similar process, to conduct a thorough investigation of the corrections system for the purpose of obtaining recommendations and forming specific policies to reduce demand for and to prevent illicit contraband, including illegal drugs, from entering and being used within the corrections system.
- The inmate population disproportionately suffers from addiction and other mental health concerns. Readily available, effective, and adequately funded mental health and substance abuse programs, to include methadone and sub Oxone programs, would not only aid in rehabilitation but reduce demand and the incentive to participate in the smuggling of dangerous drugs.
- Visitors and compromised staff or contracted services were identified as being the most common sources of contraband entering the institution. Canine (drug dog) services and random enhanced entry searches are two of the most effective means of detection and deterrence. Inconsistent enforcement of existing search policies (particularly of canine and ion scan searches of union personnel and youth visitors) are a concern. Policies and procedures making management and search staff accountable for the consistent application of random search protocols are required. Additional canine services need to be available. Personnel refusing or avoiding searches should be suspended until they complete additional enhanced security screening. Visitors refusing or avoiding searches should result in suspended or modified (no contact) visitation.

- Specialized search teams were noted to be motivated and effective in regular random contraband searches of areas within the facility. Continued use of search teams should be encouraged and intelligence and information shared across institutions.
- More rigorous security screening of all persons having direct contact with inmates should be implemented. This screening should exceed a simple criminal record or sensitive sector check and include components to detect economic vulnerability, personal problems, and include drug testing. Renewal of security clearance for all personnel having contact with inmates should occur on a regular basis, perhaps every five years.
- Mandatory regular information sessions on the subject of identification and how to defend against the use of manipulative techniques by inmates should be required of all staff and contract personnel.

I ask that you please advise the following:

1. Whether Correctional Service Canada accepts, accepts in principle, does not accept, or has a different response to the recommendation;
2. A brief explanation of why that decision was made; and
3. If Correctional Service Canada intends to accept the recommendation, or to implement different measures, what steps will be taken in that regard.

A response to this enquiry is not mandatory. However, be advised that any response received will be publicly released and posted on the Open Government Portal:

<https://open.alberta.ca/opendata/responses-to-public-fatality-inquiry-recommendations>.

If a response has not been received by August 6, 2019 (four months from the public release of Judge Holmes' report), that information will also be made publicly available.

Thank you for your cooperation in this matter.

Yours truly,

Original signed

Philip Bryden, Q.C.
Deputy Minister of Justice and
Deputy Solicitor General

Attachment